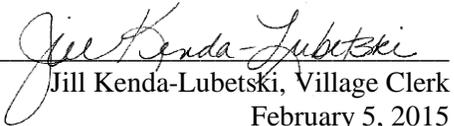


PLAN COMMISSION MEETING
Tuesday, February 10, 2015
Earl McGovern Board Room, 6:30 P.M.



PLEASE TAKE NOTICE that a meeting of the Brown Deer Plan Commission will be held in the Earl McGovern Board Room at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

- I. Roll Call
- II. Persons Desiring to be Heard
- III. Consideration of Minutes: January 12, 2015 – Regular Meeting
- IV. Report of Staff/Commission Members
- V. Unfinished Business
- VI. Business Items
 - A) Site Plan review for a multi-tenant commercial building at the southwest corner of N. Green Bay Road and N. Deerwood Drive from RK Green Bay Road, LLC.
 - B) Public Hearing and Recommendation on an Amended Project Plan for TIF District #2
- VII. Adjournment


Jill Kenda-Lubetski, Village Clerk
February 5, 2015

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

**BROWN DEER PLAN COMMISSION
JANUARY 12, 2015 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:30 P.M.

I. ROLL CALL

Present: President Carl Krueger; Trustee Jeff Baker; Commissioners: Al Walters, Ryan Schmitz, Bill Hoffmann, Dan Bednar, Jeff Jaroczynski, Susan Bellehumeur

Also Present: Michael Hall, Village Manager; Nate Piotrowski, Community Development Director; Rebecca Boyle, Village Attorney

Excused: Trustee: Tim Schilz

II. PERSONS DESIRING TO BE HEARD

None

III. CONSIDERATION OF MINUTES: September 8, 2014 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to approve the regular meeting minutes of September 8, 2014. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Piotrowski reported that an open house was scheduled for a review of the final draft outdoor recreation plan on January 20th from 5:00 – 7:00p.m. at the Dolan Community Center. He also added that there is a special premiere screening of “Around the Corner with John McGivern” on February 9th at 6:30 p.m. at the high school. The premiere is preceded by a community wide spaghetti dinner. He added that Staff will circulate an email to determine a quorum for an alternate February Plan Commission meeting so as not to conflict with the premiere event.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

- A) Public hearing, review and recommendation of a conditional use permit to Eco-Site LLC, for a cellular communication tower and associated equipment at 8200 N. 60th Street.**

Mr. Piotrowski reviewed the proposal and introduced the applicant who was represented by Tony Phillips of SAC Wireless.

President Krueger opened the public hearing at 6:37 p.m.

There were no public comments.

President Krueger closed the public hearing at 6:38 p.m.

Commissioner Jaroczynski asked about the size of the equipment enclosure. Mr. Phillips replied that it was 30’ x 30’.

President Krueger asked what was being done to prevent baseballs from flying into the enclosure. Mr. Phillips replied that this had not been considered but suggested that sloped netting could be placed over the enclosure area.

President Krueger asked if the floor area would be gravel within the compound. Mr. Phillips replied that it would be gravel but the equipment would rest on concrete pedestals.

President Krueger asked why they would not locate on the new library tower. Mr. Piotrowski replied that the applicant and carrier wanted a position to the north of the library site and that they also preferred to be the main carrier on a tower and not have a secondary position.

Commissioner Hoffmann asked about the design and condition of the access path leading to the tower and shelter. Mr. Piotrowski replied that there is an asphalt path to homeplate and this was to be used as part of the access path. He suggested that the Plan Commission require a fully paved path up to the shelter.

Pamela Ritchie, 8270 N. 54th arrived at the meeting and asked to speak about the project. It was the discretion of the Plan Commission to allow Ms. Ritchie to comment even though the public hearing was closed. Ms. Ritchie stated that she was concerned about RF signals emitting from the cellular equipment and negative health implications for nearby residents. She asked the Plan Commission reject the proposal and questioned if it could be located somewhere further away from the School Campus. Mr. Phillips replied that this was the most desirable location and indicated that antenna arrays mounted at heights such as the one proposed have not been shown to have negative health effects. He also noted that State and Federal law prohibit a community from rejecting cellular locations due to health concerns. Village Attorney Boyle confirmed this fact and noted that the School Board, as the private property owner could reject the proposal based upon health concerns and Ms. Ritchie could petition that body.

Commissioner Schmitz asked about the security lighting and landscape requirements. Mr. Piotrowski replied that there is typically one light for emergency purposes around the equipment and he noted that the landscaping proposed would be reviewed by the Beautification Committee.

President Krueger asked if the Village Board would see this after the School Board reviewed and approved it. Attorney Boyle replied that this was a possibility but suggested that the Village Board not wait as the delay could be several months and rather approve the plans with any necessary conditions and contingent upon an approved lease with the School District.

It was moved by Commissioner Hoffmann and seconded by Commissioner Schmitz to recommend approval of conditional use permit to the Village Board with the requirement of a paved access drive to the enclosure, designed to Village Engineer specifications and screening of the enclosure from flying objects. The motion carried unanimously.

B) Review and Recommendation of a permanent Conditional Use Permit for a commercial dance studio at 9036 N. 51st Street

It was moved by Commissioner Bellehumeur and seconded by Commissioner Walters to recommend approval of the permanent conditional use to the Village Board. The motion carried unanimously.

C) Review and Recommendation of a permanent Conditional Use Permit for a medical laboratory at 9055 N. 51st Street, Unit E

It was moved by President Krueger and seconded by Commissioner Jaroczynski to recommend approval of the permanent conditional use to the Village Board. The motion carried unanimously.

D) Review and Recommendation of a permanent Development Agreement for a professional office at 8759 N. Deerwood Drive

It was moved by Commissioner Schmitz and seconded by Commissioner Bednar to recommend approval of the permanent development agreement to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Commissioner Schmitz and seconded by Commissioner Jaroczynski to adjourn at 7:24 P.M. The motion carried unanimously.



Nate Piotrowski, Community Development Director



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Plan Commission
ITEM DESCRIPTION: Site Plan review for a multi-tenant commercial building at the southwest corner of N. Green Bay Road and N. Deerwood Drive from RK Green Bay Road, LLC.
PREPARED BY: Nathaniel Piotrowski, Community Development Director
REPORT DATE: February 6, 2015
Applicant: Randy Roth, Endeavor Group
Existing Zoning: B3 Applicable Code: Sec.121-194
VILLAGE ATTORNEY REVIEW: <input type="checkbox"/> Village Attorney has reviewed documents. <input type="checkbox"/> Village Attorney has not reviewed documents. <input checked="" type="checkbox"/> Documents provided to Village attorney.
COMPREHENSIVE PLAN REVIEW: <input checked="" type="checkbox"/> Staff has reviewed request for consistency with the Comprehensive Plan.

BACKGROUND:

Endeavor Group is proposing a multi-tenant commercial development at the corner of N. Deerwood Drive and N. Green Bay Road. Previously the Plan Commission approved a Dunkin Donuts and retail strip building for the site, however financial considerations led to plan changes. Now, a two tenant building with one space of 4,000 square feet and another of approximately 15,000 square feet are proposed. The possible tenants have not been disclosed.

Attached are plans that show the location of the proposed building and parking field. The site would be accessed from Deerwood Drive with the building located on the south end of the property and a large retaining wall to the east and north side of the site. The eastern edge of the building actually encroaches into the required setback along Green Bay Road and a variance would be required. Staff has reviewed the plans and found that it otherwise meets zoning requirements for building dimension, parking counts and stormwater management. However, the site plan remains one that is very dense in terms of improvements with a large blank parking field, a medium size retail box and two stormwater ponds. This is a lot of improvements for a smaller site. The geometry of the site and financial issues have proven challenging to the developer and have caused several potential users to back out.

Since no tenants have been identified we can look to the B3 zoning classification for a list of permitted and conditionally permitted uses that would be allowed at the site. As with the previous Dunkin Donuts plan, Staff is proposing to enter into a separate agreement with the developer (attached) that would prohibit several uses that may adversely impact the

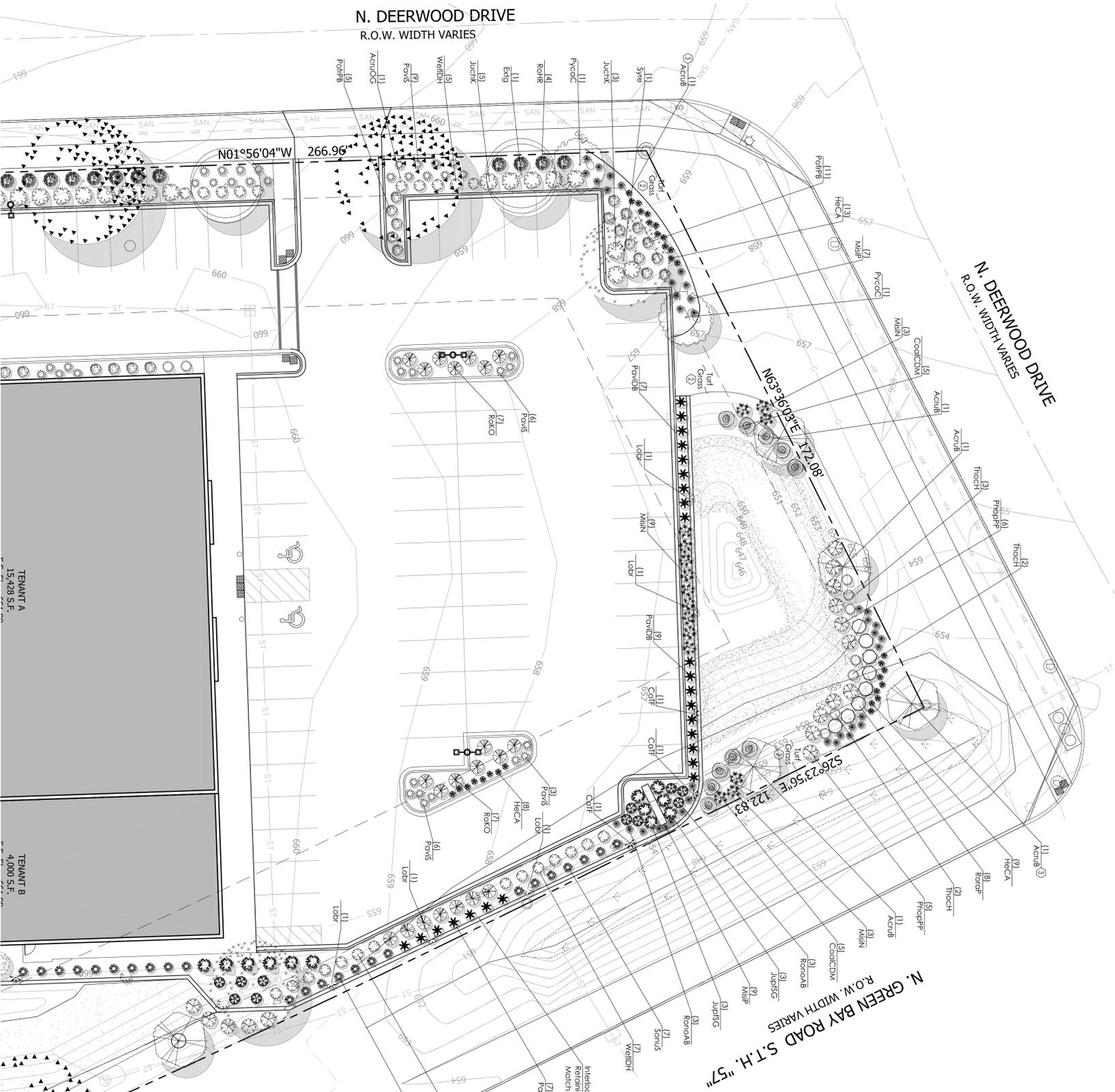
Village.

Should favorable approval for the site plan be granted the developer would still need to gain approval from the Board of Appeals, Building Board and Beautification Committee.

RECOMMENDATION:

The site plan, pending a variance determination, meets the requirements of the Village code and is acceptable to Staff. Therefore, Staff suggests that the Plan Commission favorably recommend the site plan to the Board. Please feel free to contact Nate Piotrowski at (414) 371-3061, if you have any questions.

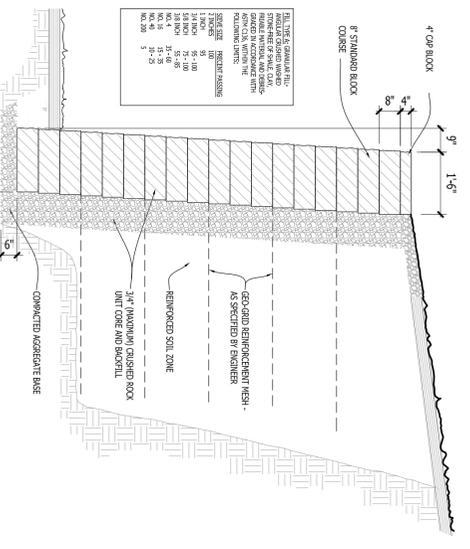
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
4	Acubi		Acer rubrum 'Borodivine'	Bronzewing Red Maple	2 1/2'-Cdl - 8x8	
1	AcuOG		Acer rubrum 'October Glory'	October Glory Red Maple	2 1/2'-Cdl - 8x8	
2	Pycoc		Pyrus columbiae 'Chanticleer'	Chanticleer Pear	2 1/2'-Cdl - 8x8	
1	Syc		Syringa veluticola	Ivory Silk Tree lilac	2 1/2'-Cdl - 8x8	
-	Edg		Edging	Edging	Edging	
Shrub						
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
10	CoocDM		Cornus alba 'Crime De Mait'	Crime De Mait Dogwood	18" - 24" - Cont	
11	PhogPP		Physocarpus opulifolius 'Pellee Plum'	Pellee Plum Ninebark	18" - 24" - 8x8	
16	FoufPB		Potentilla fruticosa 'Pink Beauty'	Pink Beauty Potentilla	18" - Cont	
4	RoHR		Rosa 'Harris Ruri'	Harris Ruri Rose	18" - Cont	
21	RoKO		Rosa 'Knockout'	Knock Out Rose	18" - Cont	
6	RonoAB		Rosa x 'Noemai'	Flower Carpet Applesauce Rose	18" - Cont	
8	RoAP		Rosa x 'Bodcan'	Pink Knock Out Rose	18" - Cont	
19	WaiDH		Weigela florida 'Dark Horse'	Dark Horse Weigela	18" - Cont	
Cornifer Evergreen Shrub						
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
8	JupJK		Juniperus chinensis 'Katalpa's Companion'	Katalpa's Companion Juniper	18" - 24" - 8x8	
6	JupFG		Juniperus x pfitzeriana 'Woodson'	Sea of Gold Juniper	18" - 24" - 8x8	
7	Hoch		Thuja occidentalis 'Hohstirup'	Hohstirup Dwarf Arborvitae	3" - 4" - 8x8	
Broadleaf Deciduous Vine						
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
3	Coif		Clematis x 'Takovzaka Frost'	Indiana Summer Tumpet Vine	2" - 3" - Cont.	
5	LoBr		Lonicera brownii	Dopomire Scadler Honeyuckle	2" - 3" - 8x8	
Perennial Grass						
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
15	MJN		Miscanthus sinensis 'Nippon'	Nippon Maiden Grass	1-Gdl - Cont	
37	WlPP		Miscanthus sinensis 'Purpureus'	Purple Silver Grass	1-Gdl - Cont	
25	FoufB		Panicum virgatum 'Dallas Blues'	Dallas Blues Switch Grass	1-Gdl - Cont	
24	Fous		Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass	1-Gdl - Cont	
14	Sous		Sorghastrum nutans 'Soux Blue'	Soux Blue Indian Grass	1-Gdl - Cont	
Perennial						
Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
30	HeCA		Hemerocallis x 'Chicago Apache'	Chicago Apache Daylily	1-Gdl - Cont	



1 PROPOSED PARTIAL LANDSCAPE PLAN - NORTH

SCALE: 1" = 16'-0"

2 INTERLOCKING PAVEMENT RETAINING WALL SECTION



SCALE: 1\"/>

INSITE
LANDSCAPE DESIGN
Landscape Architecture
and Master Planning Design Consulting

11525 W. North Avenue Suite 1B
Wauwatosa, WI 53226
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madsr@insitelandscape.com

Project:
9001 North Green Bay Road
Brown Deer, WI

Issuance and Revisions:

Date	Number	Description
07/12/13		Plan Commission Submittal
09/18/13		Plan Commission Submittal
10/10/13		Revisions Based on Staff Comments
10/30/13		Revisions Due To Site Changes / Documents
11/04/13		Revisions Due To Site Changes
12/20/13		Revisions Based on Additional Staff Comments
02/26/14		Revisions Based on Additional Staff Comments
01/12/15		Plan Commission Submittal
02/04/15		Revisions Based on Additional Staff Comments

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Sheet Title:
PROPOSED PARTIAL LANDSCAPE PLAN - NORTH
AND PLANT MATERIAL TABLE

Date of Drawing: 02/04/15
Scale: 1" = 16'-0"
Drawn By: MCD
Job Number: L13-031
Sheet Number: LSP1.2



1 PROPOSED PARTIAL LANDSCAPE PLAN - SOUTH

Proposed Plant Material Table - South LSP1.3

Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
4	ACUB		Acer rubrum 'Brandywine'	Brandywine Red Maple	2 1/2'-Cdl - 8x8	
4	ACRUG		Acer rubrum 'October Glory'	October Glory Red Maple	2 1/2'-Cdl - 8x8	
1	SYE		Syringa reticulata	Hydrangea-like lilac	2 1/2'-Cdl - 8x8	
-	EXIG		Existing	Existing	Existing	

Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
9	JUC18P		Juniperus chinensis 'Blue Point'	Blue Point Juniper	6' - 7' - 8x8	
10	JUSWB		Juniperus scopulorum 'Witchigo Blue'	Witchigo Blue upright Juniper	6' - 7' - 8x8	

Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
3	COIF		Cornus x Tokorakia Fredi	Indian Summer Trumpet Vine	2' - 3' - Cont.	
2	LAB		Lonicera brownii	Drooping Screech HoneySuckle	2' - 3' - 8x8	

Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
9	JUC1K		Juniperus chinensis 'Kaliyo's Compact'	Kaliyo's Compact Juniper	18" - 24" - 8x8	
6	JUP5G		Juniperus x pflaeriana 'Korstanj'	Sea of Gold Juniper	18" - 24" - 8x8	
4	THOCH		Thuja occidentalis 'Hollstrup'	Hollstrup Dwarf Arborvite	3' - 4' - 8x8	

Proposed Plant Material Table - South LSP1.3

Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
14	COICDM		Cornus alba 'Creme De Mint'	Creme De Mint Dogwood	18" - 24" - Cont.	
9	COIFP		Cornus alba 'Piedra Pie'	Piedra Pie Dogwood	18" - 24" - Cont.	
7	PHOPM		Physocarpus opulifolius 'Monro'	Diablo Nirxobok	2' - 3' - 8x8	
5	PHOPP		Physocarpus opulifolius 'Pelle Pluri'	Pelle Plum Nirxobok	18" - Cont.	
13	POFIR		Potentilla fruticosa 'Pink Beauty'	Pink Beauty Potentilla	18" - Cont.	
8	ROH8		Rosa 'Home Run'	Home Run Rose	18" - Cont.	
5	RONO8		Rosa x Noemai	Flower Carpet Appleblossom Rose	18" - Cont.	
7	ROCP		Rosa x Rodocor	Pink Knock Out Rose	18" - Cont.	
6	VICSS		Viburnum coccineum 'J.N. Select 5'	Sugar n' Spice Korean Spice Viburnum	2' - 3' - 8x8	
10	WEIDH		Weigelia florida 'Dark Horse'	Dark Horse Weigelia	18" - Cont.	

Quantity	Code Name	Symbol	Scientific Name	Common Name	Planting Size	Comments
8	MIBN		Miscanthus sinensis 'Nippon'	Nippon Morden Grass	1'-Cdl - Cont.	
9	MIBP		Miscanthus sinensis 'Purpureocens'	Purple Silver Grass	1'-Cdl - Cont.	
23	FOVS		Festuca ovina 'Stonewall'	Stonewall Switch Grass	1'-Cdl - Cont.	
10	SONUS		Sorghastrum nutans 'Stou Blue'	Stou Blue Indian Grass	1'-Cdl - Cont.	

SCALE: 1" = 16'-0"
North

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Project:
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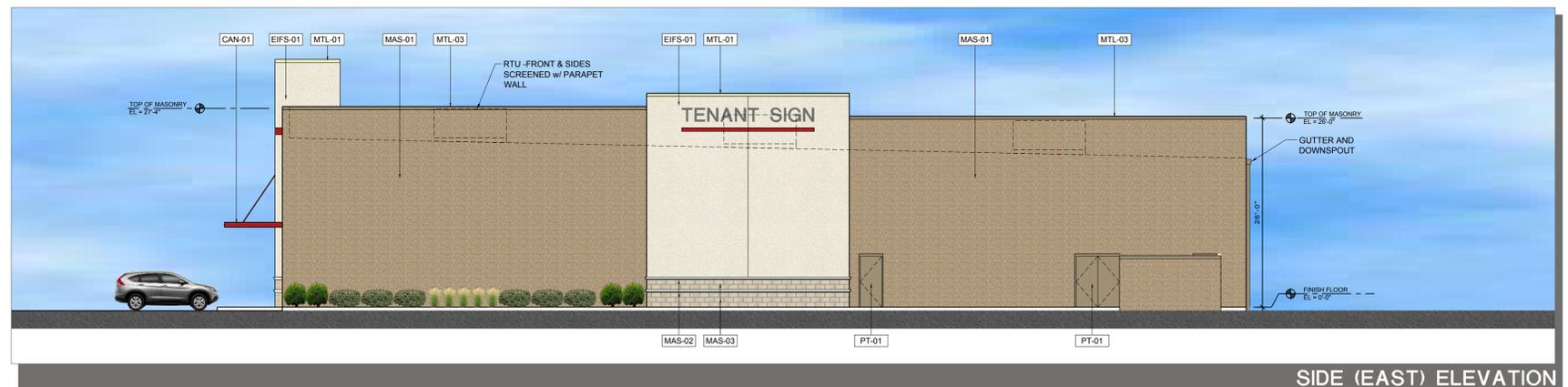
FRONT (NORTH) ELEVATION



REAR (SOUTH) ELEVATION



SIDE (WEST) ELEVATION



SIDE (EAST) ELEVATION

MAS-01	SPLIT FACE CMU - COLOR 18-120B WESTERN SAND	GLZ-01	1" CLEAR, LOW-E, INSULATED GLAZING - SOLORBAN 60 BY PPG
MAS-02	PRECAST STONE ACCENT BAND - COLOR ARCTIC WHITE	GLZ-02	1" CERAMIC SPANDREL GLAZING - COLOR SOLAR GRAY
MAS-03	STONE VENEER - COLOR BRINDLE	PT-01	EXTERIOR PAINT - SHERWIN WILLIAMS COLOR TO MATCH MAS-01 (WESTERN SAND)
MAS-04	HERITAGE COLLECTION CONCRETE BRICK - COLOR SABLE	PT-02	EXTERIOR PAINT - SHERWIN WILLIAMS COLOR SW R-4081 - SAFETY RED
EIFS-01	DRYVIT INTEGRALLY COLORED E.I.F.S. COLOR TO MATCH SHERWIN WILLIAMS SW -6140 MODERATE WHITE	PT-03	EXTERIOR PAINT - SHERWIN WILLIAMS COLOR SW R-4084 - SAFETY YELLOW
AW-01	FABRIC AWNING - SUNBRELLA COLOR BLACK	FENCE	COMPOSITE WOOD FENCE BY FENCESCAPE - COLOR MOUNTAIN CEDAR.
CAN-01	METAL CANOPY - COLOR SHERWIN WILLIAMS SW R-4081 - SAFETY RED		
MTL-01	PRE-FINISHED METAL COPING - COLOR TO MATCH SW -6140 MODERATE WHITE		
MTL-02	CLEAR ANODIZED ALUMINUM - STOREFRONT & FASCIA		
MTL-03	PRE-FINISHED METAL (COPING, GUTTER & DOWNSPOUT) - COLOR TO MATCH PT-01		

- BUILDING SIGNS SHOWN FOR REFERENCE ONLY. SIGNS TO BE SUBMITTED FOR SEPERATE REVIEW AND APPROVAL
- LANDSCAPING SHOWN FOR SCALE AND GENERAL LOCATION OF BUILDING FOUNDATION PLANTINGS. REFER TO LANDSCAPE PLANS FOR SPECIFIC LOCATIONS AND PLANT SPECIES
- COLORS AND MATERIALS SHOWN REPRESENT ARCHITECTS GRAPHIC REPRESENTATION OF FINISHES. REFER TO MATERIAL SAMPLE SUBMITTAL FOR ACTUAL COLORS AND FINISHES.

MATERIAL FINISH SCHEDULE & NOTES



Sto ARCHITECTURE, LLC
4417 N. MURRAY AVENUE
SHOREWOOD, WI 53211

PROPOSED RETAIL
BUILDING
SWC DEERWOOD DRIVE & GREEN BAY ROAD
BROWN DEER, WI
REV. FEB. 03, 2015

PROJECT NO. 1414

DATE 01-12-15

SCALE: 3/32" = 1'-0"

SHEET DE-1.0

DEVELOPMENT AGREEMENT
N. Green Bay Road and N. Deerwood Drive, Brown Deer WI

This Agreement made by and between the Village of Brown Deer, hereinafter Village, and _____ hereinafter Developer, with respect to a retail development at the southwest corner of the intersection of N. Green Bay Road and N. Deerwood Drive, Brown Deer, Wisconsin, hereinafter The Site, legally described in the attached Exhibit A, effective the last date of execution by any party.

RECITALS

WHEREAS, Developer desires to create a retail development at The Site and has submitted a commercial development site plan without any identified users, and

WHEREAS, both parties agree that the proposed site plan, to the extent completed, is conducive to the mutual economic interest of the parties in completing development of The Site, and

WHEREAS, to facilitate further refinement and development of The Site, both parties agree that approval of the site plan as submitted to date, is both feasible and in their mutual interest.

NOW, THEREFORE, IT IS AGREED as follows:

1. The Developer shall treat and seek review of proposed users pursuant to the current Brown Deer B3 Zoning district, a copy of which is attached hereto,
2. The Village further agrees that it will review any additional refinement the site plan consistent with the plan as currently submitted.

IT IS FURTHER AGREED, by Developer, in consideration for the review and approval of the site plan, that Developer will, as to future development of the multi-tenant proposed restaurant/retail space, prohibit and preclude the following uses:

- Dollar Stores
- Tobacco and Smoke Shops
- Automobile Service Stations
- Loan Offices
- Liquor Stores
- Gun Shops
- Daycares

IT IS FURTHER AGREED by Developer that no tax exempt users will be accepted as tenants or lessees for a period of ten (10) years from the grant of final approvals necessary for development of The Site.



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Plan Commission
ITEM DESCRIPTION: Public Hearing and Recommendation on an Amended Project Plan for TIF District #2
PREPARED BY: Nathaniel Piotrowski, Community Development Director
REPORT DATE: February 6, 2015
VILLAGE ATTORNEY REVIEW: <input type="checkbox"/> Village Attorney has reviewed documents. <input type="checkbox"/> Village Attorney has not reviewed documents. <input checked="" type="checkbox"/> Documents provided to Village attorney.
COMPREHENSIVE PLAN REVIEW: <input checked="" type="checkbox"/> Staff has reviewed request for consistency with the Comprehensive Plan.

BACKGROUND:

In December the Village Board requested that Staff investigate the creation of a new Tax Incremental Financing (TIF) District to help facilitate the purchase of the existing Lighthouse property at 7909-11 N. 47th Street. After reviewing this alternative it was determined that amending the existing and adjacent TIF #2 would be more prudent.

TIF #2 is the Village's oldest current TIF. It is composed of 67 parcels and is roughly 80 acres in size. The TIF was created in 1995 with a base value of 11.9 million dollars and has a present value (2014) of 39.4 million dollars. In your packet you will find a project plan which details the proposed amendment to the district. It would incorporate 3 parcels immediately to the south of Brown Deer Lanes/Bradley West Shopping Center and would include the Lighthouse property. The 3 parcels total approximately 12 acres.

The project plan goes on to detail the proposed expenditures in the amended area and the likely increment from redevelopment. These variables are then analyzed in a cash flow pro forma from Baird which suggests whether or not TIF #2 would retain a positive cash flow balance after amending the boundaries and assuming new Village investment. The pro forma detailed in Attachment #1 of the project plan shows that cash flow would remain positive. It is also very conservative in its assumptions of inflation, incremental value and expenditures. Staff will provide a full presentation of the project plan at the public hearing.

The Project Plan was recently reviewed by the Joint Review Board (a committee of local taxing authorities) who saw fit to favorably recommend the amendment to the Plan Commission and Village Board for further review. The Plan Commission is now in position to make a recommendation to the Village Board with final approval resting with the Village Board and Joint Review Board.

RECOMMENDATION:

The Project Plan meets State of Wisconsin Statutes and presents a positive and realistic

redevelopment scenario for land adjacent to TIF #2. Therefore, Staff suggests that the Plan Commission favorably recommend the project plan amending TIF #2 to the Village Board. Please feel free to contact Nate Piotrowski at (414) 371-3061, if you have any questions.



AMENDED TAX INCREMENTAL FINANCE DISTRICT NO. 2
PROJECT PLAN

Date to be inserted on final approval

Prepared By:

Community Services Department

Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223

Village Board

Carl Krueger	Village President
Terry Boschert	Trustee
Jeff Baker	Trustee
Jaime Awe	Trustee
Bob Oates	Trustee
Gary Springman	Trustee
Tim Schilz	Trustee

Community Development Authority

Carl Krueger	Chair
Tim Schilz	Trustee
Claude Williams Jr.	Member
John Coons	Member
Ron Kunding	Member
Ted Wagner	Member

Plan Commission

Carl Krueger	Chair
Tim Schilz	Trustee
Jeff Baker	Trustee
Susan Bellehumeur	Commissioner
Dan Bednar	Commissioner
Bill Hoffmann	Commissioner
Al Walters	Commissioner
Ryan Schmitz	Commissioner
Jeff Jaroczynski	Commissioner

Village Staff

Michael Hall	Village Manager
Nate Piotrowski	Community Development Director

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Attachments

Map #1	Project Area Boundaries
Map #2	Existing Zoning
Map #3	Parcels with Key Numbers
Map #4	Proposed Land Uses and Conditions
Map #5	Aerial Map
Map #6	Public Infrastructure Improvements

Attachment #1	Cash Flow Proforma Analysis
Attachment #2	Attorney Opinion Letter

I. AMENDED PROJECT PLAN INTRODUCTION

In January 1995 the Village of Brown Deer created Tax Incremental Financing (TIF) District #2. This district was developed pursuant to Wisconsin Statutes 66.1105 to create a viable procedure by which the Village, through its own initiative and efforts, may finance projects which will tend to accomplish the promotion of development and redevelopment. This amended project plan has been prepared by the Village of Brown Deer Plan Commission pursuant to the requirements of Wisconsin Statutes Section 66.1105 to address an additional area immediately adjacent to the existing TIF district boundaries which is in need of redevelopment.

The amended project plan is intended to serve as a general framework or guide for development within the amended area. The plan designates the boundaries of the amended project area, and includes an existing land use map which designates the general distribution and location of the various categories of land uses within the project area.

II. APPROVAL PROCESS

State statutes are very specific as to how a TIF district and project plans are amended. First, an Amended TIF project plan is developed and presented by the Plan Commission for a formal public hearing. The Commission makes a recommendation on the Amended TIF project plan to the Village Board. The Board then must pass a resolution adopting the Amended TIF project plan and establish the Amended TIF boundaries. Finally, a Joint Review Board (JRB) is created with members from the Village, school district, county, technical college district, and one member at large. The Joint Review Board reviews the Amended TIF Project Plan and public hearing comments and approves the creation of the Amended TIF district.

Documentation of all resolutions, notices, and minutes can be found as attachments to this Amended Project Plan. Below is a schedule for the approval and implementation of TIF DISTRICT #2 AMENDED PROJECT PLAN.

December 15, 2014	The Brown Deer Village Board met and directed the Plan Commission to prepare and review a draft project plan and preliminary boundaries for a new TIF, which, upon further review, was determined best served by amendment to existing TIF #2
January 15, 2015	Published Class 2 notice for Public Hearing at Plan Commission, with notification to all affected property owners and taxing authorities, about the draft amended project plan and preliminary boundaries.
February 5, 2015	Organizational meeting of the Joint Review Board (JRB) held.
February 10, 2015	Plan Commission reviewed draft amended project plan with public hearing and made recommendation to the Village Board.
March 2, 2015	Village Board reviewed amended draft project plan and adopted a resolution establishing the project plan.
March 10, 2015	JRB final meeting held.

As required by Wisconsin Statutes Section 66.1105 (5)(b), a copy of the amended project plan will be submitted to the Wisconsin Department of Revenue and used as a basis for the certification of Amended TIF District #2.

III. JOINT REVIEW BOARD

The AMENDED TIF DISTRICT #2 project plan was reviewed and approved by a Joint Review Board (JRB) as required by Wisconsin Statutes, consisting of:

Governmental Body	Representative
Village of Brown Deer	Carl Krueger
Brown Deer School District	Dr. Deb Kerr
Milwaukee County	Teig Whaley-Smith
Milwaukee Area Technical College District	Al Shoreiba
At-Large	John Coons

The JRB held its organizational meeting on February 5, 2015, at which members voted to accept Gayln Bennett as the At-Large Member and Carl Krueger as the JRB Chairman.

The final meeting was held on March 10, 2015. The JRB approved the Village’s creation of AMENDED TIF DISTRICT #2.

IV. PLAN OBJECTIVES

TIF District #2 is being amended to eliminate blight and stimulate the redevelopment of the former Lighthouse assisted living facility at 7909-11 N. 47th Street and the former Algonquin School lands. These parcels are either vacant, underutilized or characterized by outmoded buildings and dated development patterns that are stand-alone in nature, meaning there is little, if any, functional integration or interaction between adjacent development sites, creating an environment that lacks community appeal, economic vitality, sustainability and character.

To achieve the goals outlined in the above paragraph, the Amended Project Plan includes the following objectives:

1. To eliminate blight by providing appropriate financial incentives to encourage private redevelopment efforts.
2. To diversify the Village’s residential housing stock by adding new styles and types of single and multiple family dwellings while enhancing the Village’s residential tax base.
3. To eliminate blight by the acquisition of dilapidated structures and the relocation of non-compatible business uses.
4. To enhance the viability of businesses and uses in the area.

5. To improve the overall appearance of public and private spaces through streetscape, community identity, and traffic and accessibility improvements.
6. To increase the retention of existing businesses and the attraction of compatible new businesses.
7. To reduce the risk to the taxpayers by timing the implementation of the Amended Project Plan with the creation of additional property value.
8. To enhance the cohesiveness of mixed uses within the district, blending boundaries, maximizing modes of transportation, and retaining and cultivating preserved lands.

V. BOUNDARIES

Prior to considering the specific area to include, the Plan Commission, pursuant to Wisconsin State Statutes, established criteria to act as a guideline in their work. The boundary criteria for a TIF district created to eliminate blight includes the following:

1. The aggregate equalized value of taxable property in the TIF district plus value increment of all other TIF districts do not exceed 12% of the total equalized value of taxable property in the Village.
2. A minimum of 50 percent, by area, of the additional property in the amended TIF district must be a blighted area.
3. All lands within the TIF district shall be contiguous.
4. Property standing vacant for an entire 7-year period preceding the creation of the TIF district may not comprise more than 25% of the area in the TIF district.

The proposed amended TIF District #2 meets all of these criteria.

Amended TIF District #2 comprises approximately 12.10 acres and is predominantly vacant land uses. The boundaries of TIF District #2 along with the amended parcels are shown on Map #1.

Amended TIF DISTRICT #2 Area

Amended Area of Real Property (parcels)	12.09 acres
Amended Right-of-Way	.01 acres
Amended Blighted Property	12.09
Amended Blighted Area for Redevelopment	12.09
Amended Vacant Parcels*	9.20
Amended Area Zoned and Suitable for Business	2.89

(* The School District property parcel is presently vacant and while it is more than 25% of the area of the Amended TIF, the vacancy has been less than seven years within the meaning of Section 66.1105(4)(gm)1.)

The Amended TIF District #2 includes lands located within the Village of Brown Deer bounded by N. 47th Street on the East, Milwaukee County’s Algonquin Park on the West, private property including Brown Deer Lanes on the North and W. Parkland Avenue on the South (Map #1). Map #2 shows the zoning of the amended property, and Map #3 shows the parcel numbers which are keyed to the amended parcel list below.

2014 Taxpayer		Address			2014 Assessment			Vacant / Vacancies	Blighted
Name	Acres	#	Street	Key #	Land	Improvement	Total		
Milwaukee County	.03	0	N. 48 th Street	085-0239	0	0	0	*	*
School District of Brown Deer	9.17	7841	N. 47 th Street	085-9954	0	0	0	*	*
New Perspectives Real Estate Holdings	2.89	7909-11	N. 47 th Street	085-9952-001	218,100	879,700	1,097,800		*

VI. EXISTING ZONING AND LAND USES

Existing land uses and the conditions of real estate are shown on Map #2. Existing uses within the project area include community based residential. Zoning districts within the project area are PD – Planned Development and R3-Single Family residential.

Existing development within the project area includes the Lighthouse assisted living facility and two vacant parcels.

The existing development is stand-alone in nature, meaning there is little, if any, functional integration or interaction between the separate development sites, creating an environment that lacks community appeal, economic vitality and sustainability and character.

VII. STATEMENT OF KIND, NUMBER AND LOCATION OF PROPOSED PUBLIC WORKS AND IMPROVEMENTS WITHIN THE DISTRICT AND WITHIN A HALF MILE THEREOF

TIF District #2 is amended primarily to eliminate blight and rehabilitate and conserve the impacted area as authorized by Wisconsin Statutes Section 66.1105, to provide greater employment opportunities, to broaden the property tax base and to relieve the tax burden of residents and home owners. In order to attain such results, the Village contemplates engaging in public expenditures which it deems "project costs" within the area of the district and within an area up to one half mile surrounding said district for the benefit of the district. Due to their designation as project costs, the following expenditures will be eligible to be paid from tax incremental revenue produced from the TIF District #2.

A. Municipal Infrastructure Improvements

- Construction of streets to facilitate development within the District. Scope of work shall include right of way acquisition, land assembly, grading, gravel, curb and gutter, asphalt, street lights, traffic signals, walkways, paving, lighting, and related appurtenances.

- Demolition, removal or razing of existing structures. Projects may include environmental cleanup and studies, and the relocation of utilities, signs, fencing, powerlines and other related activities.
- Construction of a sanitary sewer collection system. Project may include sewer mains, manholes, laterals, force main, and related appurtenances,
- Construction of water distribution mains. Projects may include valves, hydrants, service connections, laterals and other related appurtenances,
- Construction of storm water drainage facilities. Projects may include detention basins, storm sewer pipe, manholes, inlets, drains and related appurtenances,
- Installation of electric and/or natural gas service. Acquisition of equipment to service the District.
- Improved access to Milwaukee County’s Algonquin Park via new sidewalks, paths and roadways along with improved infrastructure and equipment.

The location of these municipal infrastructure improvements are shown on Map #6.

B. Imputed Administrative Costs

Including, but not limited to, a portion of the salaries of the Village employees and Elected Officials, professional fees, and others directly involved with the projects over the expenditure period.

C. Organization Costs

Including, but not limited to, publication and printing costs in connection with this Plan as well as the fees for the financial consultants, attorney, engineers, planners, surveyors, map makers, and other contracted services.

D. Land Assembly and Real Estate Acquisition

Including, but not limited to, the costs of titles, easements, appraisals, consultant fees, closing costs, surveying and mapping, and the lease and/or the sale of property at or below market price to encourage or make feasible an economic development project, less all revenues received from the sale or lease of interests in property.

E. Relocation Costs

Including, but not limited to, the cost of a relocation plan, director, staff, publication, appraisals, title searches and relocation benefits as required by Wisconsin Statutes 32.19 through 32.195.

F. Financing Costs

Interest, finance fees, bond discounts, bond redemption premiums, bond legal opinions, credit ratings, capitalized interest, bond insurance and other expenses related to financing. This would also include reimbursement of principal and interest to the Village using surplus TIF revenues in later years to offset up-front principal and interest payments made with Village funds.

G. Contributions

Contributions made to the CDA under Wisconsin Statutes Section 66.1333(13) in connection with the implementation of this Project Plan.

H. Discretionary Payments

Any payments made, in the discretion of the Village Board, which are found to be necessary or convenient to the creation of the amended TIF District #2 or the implementation of this Project Plan. These payments would include certain development incentives to be negotiated on a parcel by parcel basis in order to attract new taxable property into the District.

I. Contingency Amounts

Reasonable contingency amounts with respect to all project costs noted above to provide for cases of project costs in any category above being higher than estimated.

J. Promotion and Development

Promotion and Development of the Amended TIF District #2 including professional services for marketing, recruitment, Realtor commissions and fees in lieu of commissions, marketing services and materials, advertising costs, administrative costs and support of development organizations are all eligible costs under this section.

VIII. DETAILED LIST OF ESTIMATED PROJECT COSTS

In order to determine the economic feasibility of the proposed Amended TIF District #2, total project costs must be estimated and compared to the projected tax increments that will be generated by the new development in the TIF District. Based on 2014 construction costs, Amended TIF District #2 improvement costs are estimated as follows:

Brown Deer TIF DISTRICT #5 Planned Project Costs	
Proposed Improvements	Total TIF Cost
A. Municipal and Park Infrastructure Improvements	\$1,650,000
B. Imputed Administrative Costs	\$0
C. Organization Costs	\$0
D. Land Assembly and Real Estate Acquisition	\$1,350,000
E. Relocation Costs	\$0
F. Financing Costs	\$397,324
G. Contributions	- 0 -
H. Discretionary Payments	\$0
I. Contingency	\$100,000
J. Promotion and Development	\$0
TOTAL TIF PROJECT COSTS	\$3,497,324

The total of estimated Amended TIF project cost increases are \$3,497,324. Since some of the project costs will be incurred before TIF revenues may be collected, the Village may have to finance the negative TIF fund balance through borrowing. Based on the worst case development scenario, the borrowing will add an additional \$397,324 in TIF financing costs, bringing the total estimated Amended TIF District #2 project cost increases to \$3,497,324. Interest on the obligations issued to pay project costs will also be payable from TIF revenues. All project costs and borrowing estimates are based on the most current data available in December, 2014 and may be adjusted without modification or amendment of this Amended TIF District #2 Project Plan.

The actual dates of land acquisition and construction will be contingent on the commitment of private redevelopment projects to build new buildings or renovate existing buildings that will generate sufficient tax increments over the life of the TIF district to cover the TIF project costs.

IX. ECONOMIC FEASIBILITY AND METHODS OF FINANCING

In order to evaluate the economic feasibility of the TIF, it is necessary to project the amount of tax incremental revenue that can reasonably be generated from the district. The ability of the municipality to finance proposed projects must also be determined. Amended TIF District #2 is economically feasible if the tax incremental revenue projected to be generated over the life of the district is sufficient to pay all project and financing costs incurred during the TIF districts' expenditure period. The components of such an analysis include:

- A. The expected increase in property valuation due to inflation and the impact of general economic conditions on the TIF district.
- B. The expected increase in property valuation due to new development encouraged by the TIF district.
- C. Any change that may take place in the full value tax rate.

Following is a discussion of these components. Financing issues are discussed in the next section.

Inflation

The inflation rate, for the purpose of making projections of equalized value, will be 0.5%. Inflation for purposes of projecting future project costs is assumed to be 0.5%.

Increase in Property Value

Amended TIF District #2 contains a total of approximately 12.09 acres of net real property (excluding street and right-of-ways of approximately 0.01 acres). Due to the expenditures made under the previous section, the Village feels that approximately 12.09 acres of this net real property will be suitable to attract additional residential and commercial development.

Redevelopment will create increased property valuation. The increase in property valuation is estimated from the following projects. Other improvements and redevelopment projects, which were not anticipated at the time this Project Plan was prepared, may occur within the TIF District.

- 1) Lighthouse Redevelopment site
\$1,500,000 additional value; expected to occur in 2017-2019.
- 2) Algonquin School Redevelopment site
\$4,000,000 additional value; expected to occur in 2017-2022.

(Note: The increase in the potential valuation generated from the vacant and blighted sites can be projected based on estimates from potential redevelopment scenarios, based on conservative projections of available housing units, commercial square footage and market costs.)

Full Value Tax Rate

The third variable to consider in projecting TIF revenues is the full value tax rate. The full value tax rate is adjusted annually based on property valuation and the amount of funds required by all taxing jurisdictions to support their adopted annual budgets. The following chart summarizes the historic full value tax rate in the Village between 2008 and 2014.

Village of Brown Deer Equalized Full Value Property Tax Rate & Equalized Values		
Levy Year	Tax Rate/\$1,000	Total Equalized Value
2008	25.52	1,144,172,900
2009	26.75	1,128,003,400
2010	28.07	1,074,804,200
2011	29.50	1,038,140,200
2012	31.69	962,776,000
2013	32.83	927,162,600
2014	31.53	942,430,400

Revenue Conclusions

Utilizing an average inflation rate of 0.5% percent, projected construction increment of \$1,500,000, and an initial full value rate of \$31.53 which is projected to remain the same, the projected TIF revenue from Amended TIF District #2, as shown on Attachment #1 is expected to be \$8,136,759, of expenditures recovered within seven years.

Financing Methods

An important aspect to consider in assessing the economic feasibility of Amended TIF District #2 is the ability of the Village to finance desired projects to encourage development. Financial resources available to the Village include general obligation notes and bonds, revenue bonds, CDA revenue bonds, special assessments, and federal and state community development programs. Additionally, a Community Development Authority may finance project costs within a TIF District and the Village may apply TIF revenue to the CDA to service the debt incurred to finance eligible projects within the TIF District.

General obligations of the Village are limited by state law to five percent of the equalized property value. The Village has a current total debt capacity of \$47,121,520 and \$23,597,849 in existing General Obligation debt. Using this data, the current remaining debt capacity is \$23,523,671. Not all anticipated project costs will need to be financed by borrowing. For example, TIF administration costs will be relatively small on an annual basis and can be paid out of Village operating funds and reimbursed from the TIF when funds are available.

Revenue Bonds

A primary source of financing is revenue bonds repaid from fees for services charged by the Village. Common examples of such revenue are charges made for sewer and water usage. There is no statutory limitation on the amount of revenue bonds that can be issued, however, the Village must demonstrate to the bond underwriters that it has the ability to repay the debt from anticipated revenues.

CDA Revenue Bonds

A second financing technique available to the Village is the issuance of CDA Revenue Bonds by the CDA. The issuance of CDA Revenue Bonds by the CDA (with approval of the Village Board) provides several advantages to the Village as follows:

- CDA bonds are exempt from state income taxes resulting in interest costs at or below the Village’s normal general obligation bond interest costs.
- CDA bonds are not considered “debt” under existing state statutes and therefore would not be counted towards the Village’s debt limit (currently 5% of equalized value or

\$47,121,520) except to the extent the Village might choose to provide general obligation backing.

- Additional costs and programs associated with a project can be funded through the CDA and become eligible costs to be recouped from future increment.

Special Assessment Bonds

Some project costs can potentially be paid through special assessments levied on properties directly benefiting from the improvements. Costs of streets, curbs, gutters, and sewer and water extensions are commonly paid through special assessments. The Village can issue special assessment bonds, pledging revenues from the special assessments on individual properties to repay the debt. Property owners are generally permitted to pay the special assessments in installments. These bonds are not counted against the Village’s constitutional debt limit.

Timetable

The Village has an expenditure period of 2 years remaining on TIF District #2, until 2017, to incur the costs outlined in this Amended Project Plan. The TID will close in 2022. The time schedule set forth below is preliminary and for budgeting purposes only. The Village Board is not mandated to make the improvements defined in this plan, as each project will require item-by-item review and approval. The decision to proceed with a particular project will be based on the economic conditions and budgetary constraints existing at the time a project is scheduled for consideration. Actual implementation of the projects proposed in this Amended Project Plan may be accelerated or deferred, depending on the conditions existing at the time.

Proposed Improvements	Total TIF Cost	2015	2016	2017
A. Municipal Infrastructure Improvements	1,650,000	1,565,000	0	85,000
B. Imputed Administrative Costs	0	0	0	0
C. Organization Costs	0	0	0	0
D. Land Assembly and Real Estate Acquisition	1,350,000	1,350,000	0	0
E. Relocation Costs	0	0	0	0
F. Financing Costs	397,324	397,324	0	0
G. Contributions	0	0	0	0
H. Discretionary Payments	0	0	0	0
I. Contingency	100,000	0	0	100,000
J. Promotion and Development	0	0	0	0

Analysis Of Overlying Taxing Districts

Taxing Districts overlying the Village of Brown Deer Amended TIF District #2 include Milwaukee County, Brown Deer School District, and Milwaukee Area Technical College. Impact on the overlying taxing districts is based on the percentage of tax collections in Amended TIF District #2 in 2014.

The projects planned for the Amended TIF District #2 would not occur or would occur at significantly lower values but for the availability of tax incremental financing. Amended TIF District #2 is a mechanism to make improvements in an area of Brown Deer which is experiencing blighting influences and to support growth in the Village's tax base. All taxing jurisdictions will benefit from the increased property values and community vitality which will result from the projects planned in Amended TIF District #2.

X. PROPOSED CHANGES IN ORDINANCES, CODES AND PLANS

While most of the nearby is zoned as PD-Planned development, full implementation of the redevelopment may require rezoning of the Algonquin School to PD-Planned Development District, or creating a new zoning classification. The Village Zoning Code is contained in Chapter 121 of the Village of Brown Deer Code. The Planned Development Zoning District or a new zoning classification would allow more flexibility and efficiency in the site design, while at the same time providing the Village with the ability to assure that the site design fulfills the development goals and objectives.

XI. LIST OF ESTIMATED NON-PROJECT COSTS

There are no costs planned for TIF District #2 which would not directly benefit property inside the district boundaries, therefore there are no “non-project” costs.

XII. METHODS OF RELOCATION OF DISPLACED PERSONS

If any property would need to be acquired by the Village of Brown Deer it would be to stimulate urban redevelopment. Should displacement or relocation be required, the Village of Brown Deer will follow all Wisconsin Statute and Administrative Rules pertaining to relocation. The Village will prepare proper relocation plans to be submitted for approval to the Department of Administration, and will work with impacted displacees should it be necessary.

XIII. STATEMENT INDICATING HOW THE CREATION OF THE TIF PROMOTES THE ORDERLY DEVELOPMENT OF THE VILLAGE OF BROWN DEER

The amendment of TIF District #2 as well as the implementation of the projects in the Amended TIF Project Plan will promote the orderly redevelopment of the Village of Brown Deer by eliminating blight, assembling parcels of land suitable for redevelopment, and providing financial incentives for private redevelopment projects.

By utilizing the provisions of the Tax Increment Financing Law, the Village can stabilize property values and attract new investment that results in increased tax base. Redevelopment will occur in an orderly fashion in accordance with an approved plan that is compatible with adjacent land uses. Development of the new uses in TIF District #2 will add to the tax and employment base of the community, and will generate positive secondary impacts in the community and economic vitality to the area.

XIV. ATTORNEY OPINION LETTER

Village Attorney Fuchs has reviewed the Project Plan, and his opinion letter is attached.

###



"Attachment #1"

Village of Brown Deer Tax Increment District No. 2 Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID.....	0.50%
2014 Gross Tax Rate (per \$1000 Equalized Value).....	\$31.53
Annual Adjustment to tax rate.....	0.00%
Investment rate.....	0.50%
Data above dashed line are actual	

Example New Issue \$1,410,000 Taxable G.O. Promissory Notes Dated March 31, 2015		Example New Issue \$1,565,000 G.O. Promissory Notes Dated May 1, 2015	
Amount for Projects.....	\$1,350,000	Amount for Projects.....	\$1,565,000
Capitalized Interest.....	\$0	Capitalized Interest.....	\$0
Cost of Issuance (est.).....	\$57,425	Cost of Issuance (est.).....	\$58,975
Rounding.....	\$2,575	Rounding.....	\$1,195
Less: Reoffering Premium.....	\$0	Less: Reoffering Premium.....	\$60,170

Year	Background Data						Revenues				Expenditures							TID Status			Year	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)		(u)
	TIF District Valuation (January 1)	Value of Exempt Computers (December 31)	Inflation Increment	Construction Increment	TIF Increment Over Base	Tax Rate	Tax Revenue	Investment Proceeds	Lighthouse Revenues	Total Revenues	Existing Debt Service	Principal	Interest	Debt Service	Principal	Interest	Debt Service	Combined Expenditures	Annual Balance	Year End Cumulative Balance (December 31)		Cost Recovery
	Base Value \$11,979,900			(1)		(2)																
2012	\$33,205,100	\$50,900			\$25,514,000	\$31.69														\$147,060		2012
2013	\$37,443,000	\$59,000			\$27,568,100	\$32.83														\$197,866		2013
2014	\$39,489,000	\$59,000	\$197,445		\$27,765,545	\$31.53	\$837,655	\$989		\$838,645	\$559,555								\$279,090	\$476,956		2014
2015	\$39,686,445	\$59,000	\$198,432		\$27,963,977	\$31.53	\$869,313	\$2,385	\$27,000	\$898,697	\$554,428								\$344,270	\$821,225		2015
2016	\$39,884,877	\$59,000	\$199,424		\$28,163,402	\$31.53	\$875,539	\$4,106	\$27,000	\$906,645	\$548,485	\$180,000	\$40,764	\$220,764	\$195,000	\$48,218	\$243,218	\$1,012,467	(\$105,822)	\$715,403		2016
2017	\$40,084,302	\$59,000	\$200,422		\$28,363,823	\$31.53	\$881,796	\$3,577		\$885,373	\$553,905	\$195,000	\$24,984	\$219,984	\$215,000	\$29,363	\$244,363	\$1,018,251	(\$132,878)	\$582,525		2017
2018	\$40,284,723	\$59,000	\$201,424		\$28,565,247	\$31.53	\$888,084	\$2,913		\$890,997	\$555,640	\$200,000	\$22,263	\$222,263	\$220,000	\$25,013	\$245,013	\$1,022,915	(\$131,918)	\$450,607		2018
2019	\$40,486,147	\$59,000	\$202,431	\$1,500,000	\$30,267,677	\$31.53	\$894,404	\$2,253		\$896,657	\$556,465	\$200,000	\$18,713	\$218,713	\$225,000	\$20,281	\$245,281	\$1,020,459	(\$123,801)	\$326,806		2019
2020	\$42,188,577	\$59,000	\$210,943		\$30,478,620	\$31.53	\$900,756	\$1,634		\$902,390	\$551,275	\$205,000	\$14,354	\$219,354	\$230,000	\$14,875	\$244,875	\$1,015,504	(\$113,114)	\$213,692		2020
2021	\$42,399,520	\$59,000	\$211,998		\$30,690,618	\$31.53	\$954,439	\$1,068		\$955,508	\$554,688	\$210,000	\$9,163	\$219,163	\$235,000	\$9,063	\$244,063	\$1,017,913	(\$62,405)	\$151,287		2021
2022	\$42,611,518	\$59,000	\$213,058		\$30,903,676	\$31.53	\$961,091	\$756		\$961,847	\$556,738	\$220,000	\$3,190	\$223,190	\$245,000	\$3,063	\$248,063	\$1,027,990	(\$66,143)	\$85,144	Expenditures Recovered	2022
					<u>\$1,835,576</u>	<u>\$3,546,000</u>	<u>\$8,063,077</u>	<u>\$19,682</u>	<u>\$54,000</u>	<u>\$8,136,759</u>	<u>\$4,991,178</u>	<u>\$1,410,000</u>	<u>\$133,429</u>	<u>\$1,543,429</u>	<u>\$1,565,000</u>	<u>\$149,874</u>	<u>\$1,714,874</u>	<u>\$8,249,481</u>				

Type of TID: Created Before 10/1/1995 (not required to declare type)
 1995 TID Inception (1/16/1995)
 2017 Final Year to Incur TIF Related Costs
 2022 Maximum Legal Life of TID (27 Years)

(1) Increment per draft project plan.

(2) 2014 tax rate reflects an \$0.89 adjustment due to Wisconsin Act 145. This will increase state aid to technical college districts and lower levy amounts.

**FUCHS
& BOYLE, S. C.**

ATTORNEYS AT LAW

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JOHN F. FUCHS
COURT COMMISSIONER
REBECCA D. BOYLE
COURT COMMISSIONER
COLETTE C. REINKE

February 3, 2015

Village of Brown Deer and Community Development Authority
of the Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223

RE: Amended Project Plan for Tax Incremental District No. 2
of the Village of Brown Deer

Ladies and Gentlemen:

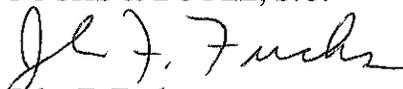
I have acted as counsel to the Village of Brown Deer, Wisconsin (the "Village") and its Community Development Authority ("CDA") in connection with the proposed expansion of Tax Incremental District No. 2 of the Village (the "District").

In this connection, I have reviewed the Amended Project Plan for the District (the "Project Plan"), the law and such other documents as I deem necessary to enable me to give this opinion. I have relied on the statements of fact set forth in the Project Plan and the documents attached as exhibits to the Project Plan, without independent verification. I have not been engaged or undertaken to verify the reasonableness or accuracy of the assumptions, estimates or financial projections contained in the Amended Project Plan, and express no opinion relating thereto.

Based on my review, it is my opinion that the Amended Project Plan is complete and complies with Section 66.1105 of the Wisconsin Statutes.

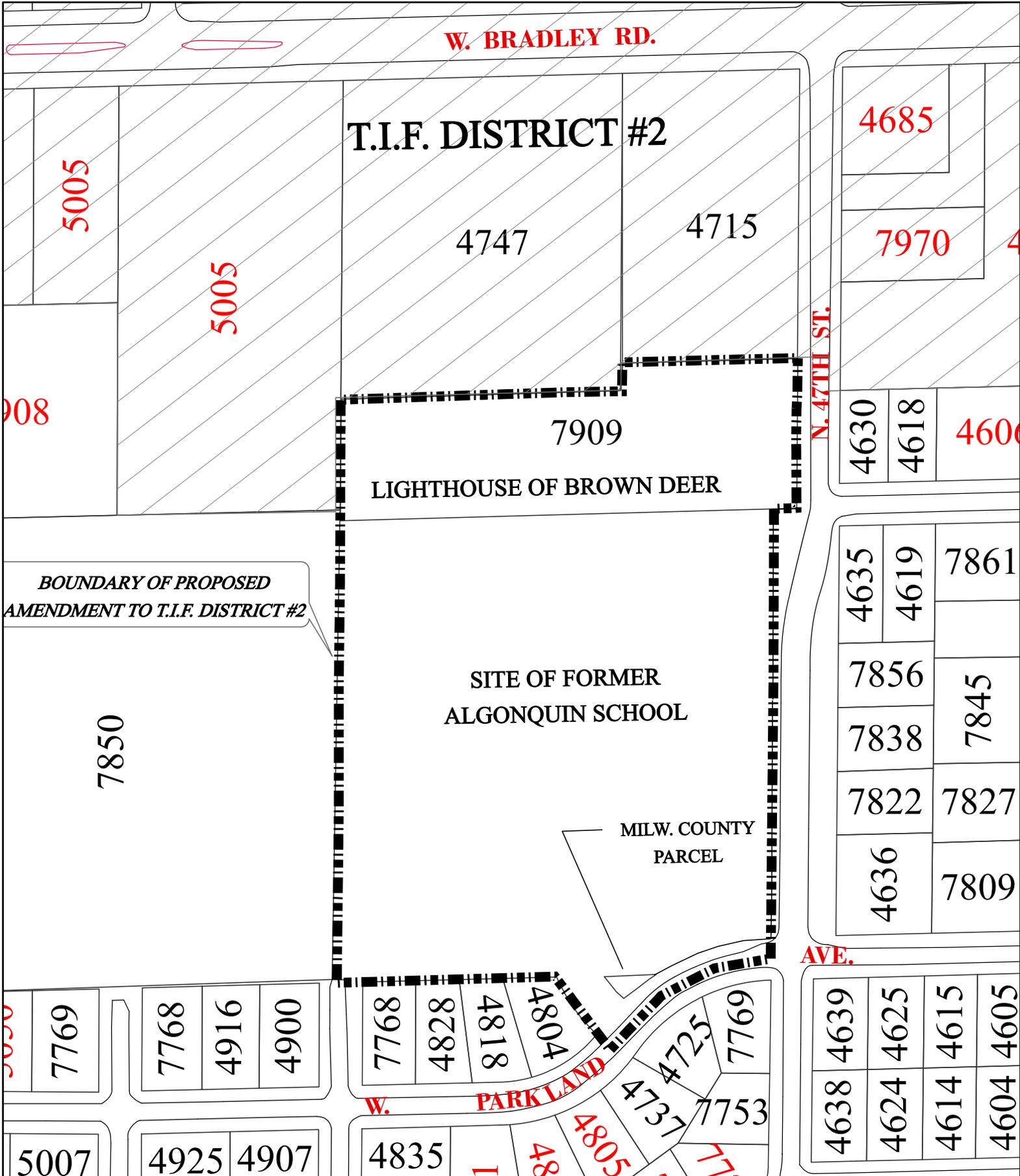
Very Truly Yours,

FUCHS & BOYLE, S.C.


John F. Fuchs

JFF:djk

Map #1 - Project Area Boundary

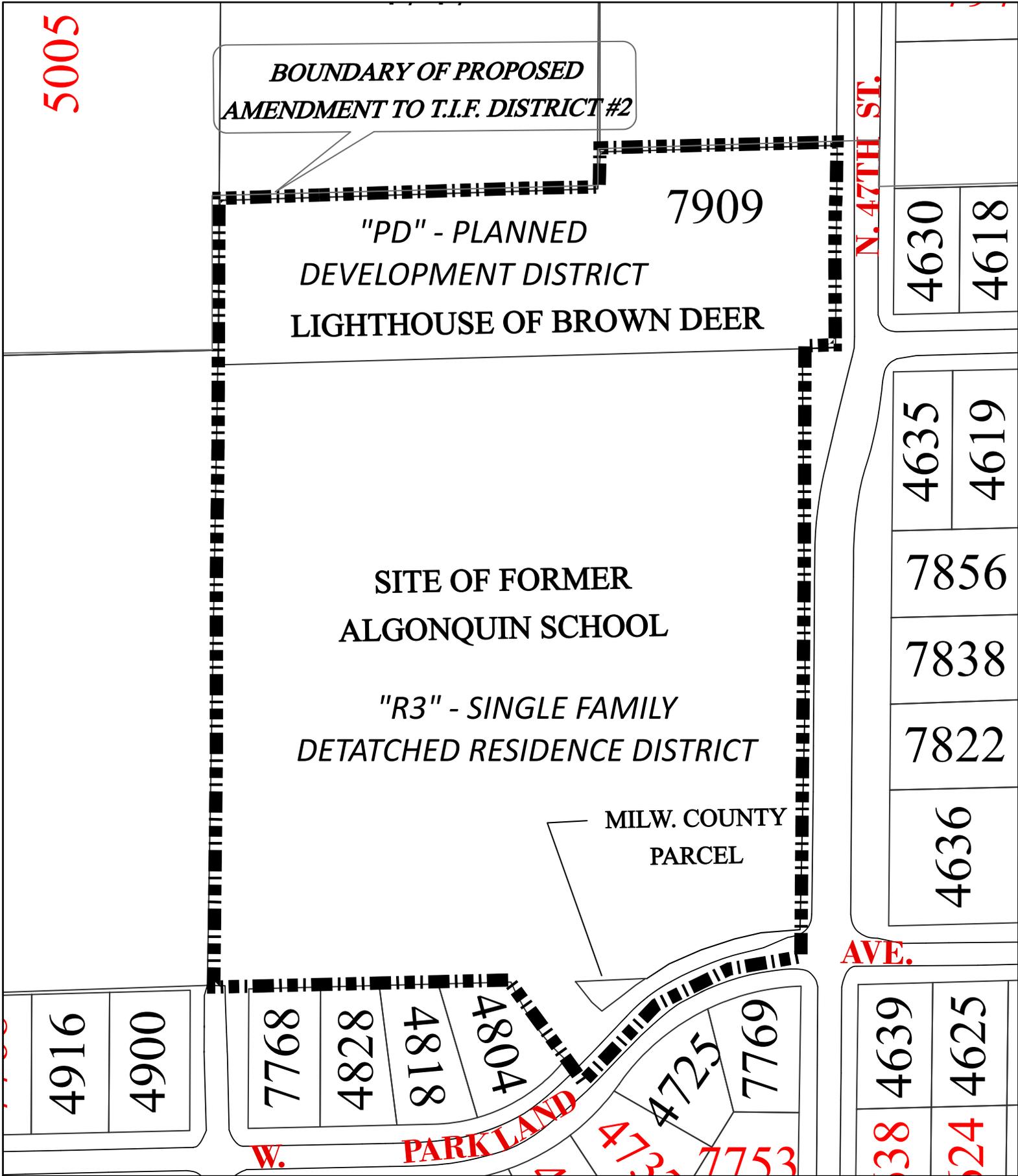


VILLAGE OF BROWN DEER, WI
Project Area Boundary of
Proposed Amendment to T.I.F. District #2

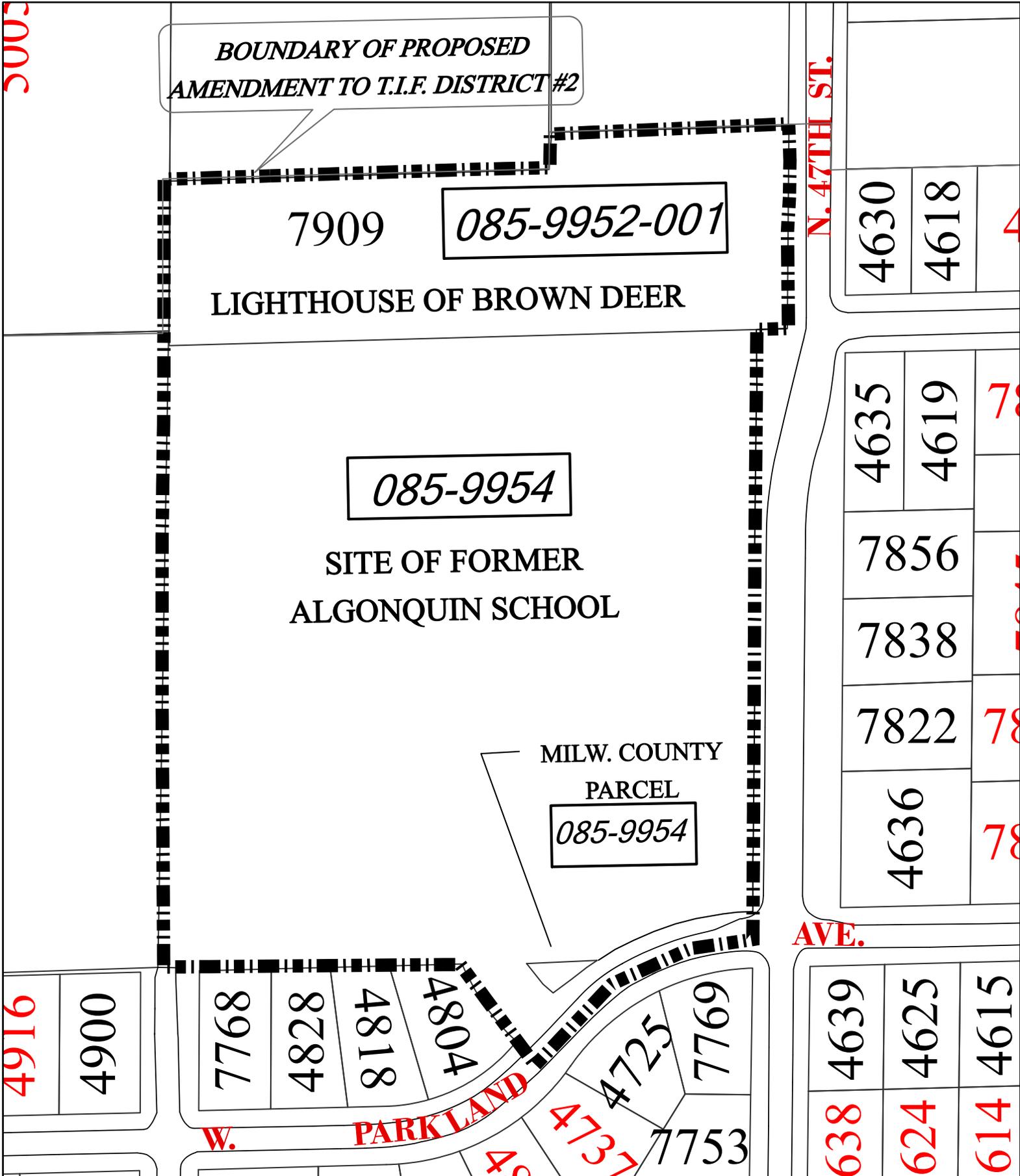
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Map #2 - Existing Zoning



Map #3 - Parcels w/Key Numbers

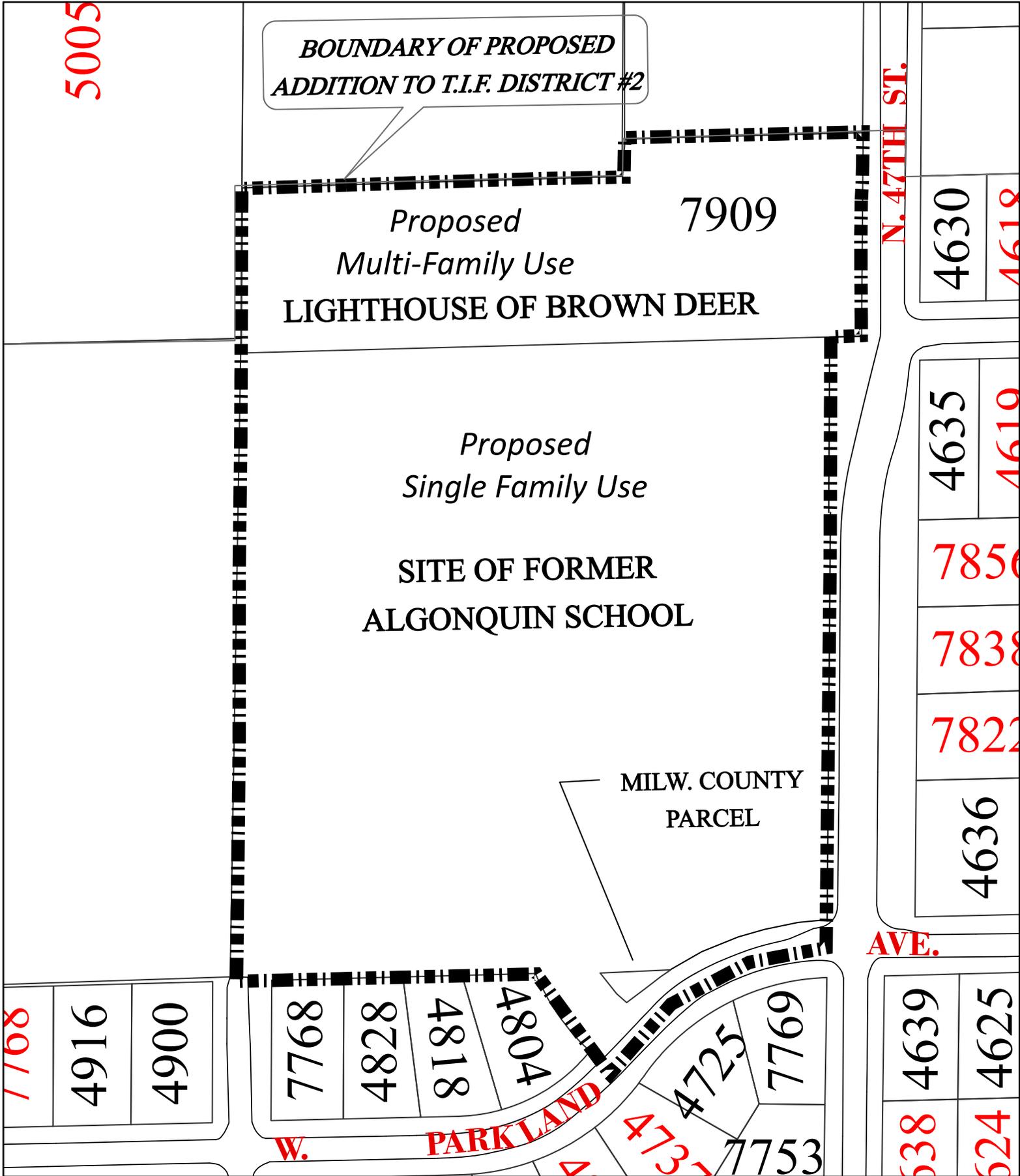


VILLAGE OF BROWN DEER, WI
 Key Numbers of Parcels in
 Proposed Amendment to T.I.F. District #2

01/14/15



Map #4 - Proposed Land Uses



VILLAGE OF BROWN DEER, WI
 Proposed Land Uses Within
 Proposed Amendment to T.I.F. District #2



Map #5 - Aerial Map



VILLAGE OF BROWN DEER, WI
Aerial Map of Proposed
Amendment to T.I.F. District #2

01/14/15



Map #6 - Public Infrastructure Improve. Map

