

**Community Development
Authority**

**Wednesday, February 2,
2022**

7:00 PM

**McFarland Municipal Center
Community Room**

AGENDA

You are invited to this meeting through a Zoom webinar. The public is strongly encouraged to watch and participate in these meetings remotely through either the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/87993287017>

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Webinar ID: 879 9328 7017

Press *9 to raise/lower hand. Press *6 to mute/unmute.

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Community Development Authority. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the board may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments to the board for their consideration. Members of the public who are present in person and wish to address the board should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.
3. APPROVAL OF MINUTES.
 - a. Review and possible approval of the December 1, 2021 Community Development Authority meeting minutes.
4. BUSINESS.
 - a. Discussion regarding possible amendments to the Village's Tax Increment Financing Development Incentives Policy Manual and Application.
 - b. Presentation of Directors report
5. CLOSED SESSION.
 - a. Discussion and action in order to convene in Closed Session in accordance with Wis. Stats. 19.85(1)(e) to deliberate or negotiate the investment of public funds or other specified public business whenever

competitive or bargaining reasons require a closed session, specifically related to the acquisition of property at the following locations:

1) 4008 & 4012 Terminal Drive, including parcel# 071027386201 (Tax Increment District #3)

b. Discussion and action to reconvene into Open Session.

6. BUSINESS

a. Discussion and possible action to make a recommendation to the Village Board regarding the acquisition of property located at 4008 & 4012 Terminal Drive, including parcel# 071027386201, within Tax Increment District #3.

7. SCHEDULE NEXT MEETING DATE.

a. Wednesday March 2, 2022 at 7:00 p.m.

8. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us

Community Development Authority

Working Draft -MINUTES

December 1, 2021

Members Present: Justin Rupert, Austen Conrad, Dan Kolk, Stephanie Brassington, Ken Brost, Jerry Dietzel

Members Absent: Toni Stolarik

Staff Present: Andrew Bremer, Kong Thao

1. CALL TO ORDER

Brassington called the meeting to order at 7:03 pm.

2. PUBLIC APPEARANCES

None

3. APPROVAL OF MINUTES

- a. Review and possible approval of the Community Development Authority draft minutes from the November 3, 2021 meeting.

Brassington moved to approve the November 3, 2021 Community Development Authority minutes. Rupert seconded the motion. Motion carried 6-0.

4. CLOSED SESSION.

- a. Discussion and action in order to convene in Closed Session in accordance with Wis. Stats. 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session including the sale of property and the investment of public funds regarding:

Brassington moved to convene into closed session, Rupert seconded the motion. Motion carried on a roll call vote 6-0.

Meeting moved into closed session at 7:06 p.m.

- 1) A Real Estate Acquisition and Development Agreement with Waubesa Village, LLC for 4902 & 4908 Terminal Drive, Waubesa Village Phases 1 – 4.

b. Motion to adjourn Closed Session and reconvene in Open Session to discuss and take action on items of business discussed in closed session.

Brost moved to reconvene in open session. Brassington seconded the motion. Motion carried 6-0. Meeting reconvened into open session at 7:26 p.m.

5. BUSINESS

- a. Discussion and possible action to make a recommendation to the Village Board regarding Resolution 2021-25: A Resolution Authorizing the Village President and Clerk-Treasurer to Execute a Real Estate Acquisition and Development Agreement with Waubesa Village, LLC, for Waubesa Village Phases 1- 4, including 4902 & 4908 Terminal Drive and 4604, 4606, and 4608 Siggelkow Road, located within Tax Increment District #3.

Brassington moved to recommend approval to the Village Board regarding Resolution 2021-25: A Resolution Authorizing the Village President and Clerk-Treasurer to Execute a Real Estate Acquisition and Development Agreement with Waubesa Village, LLC, for Waubesa Village Phases 1- 4, including 4902 & 4908 Terminal Drive and 4604, 4606, and 4608 Siggelkow Road, located within Tax Increment District #3 with an amendment to Article V, subparagraph D to amend the date of commencement to reflect April 30, 2022. Brost seconded the motion. Motion carried 6-0.

- b. Presentation of Directors report.

Bremer reviewed his director's report with members as provided in packets.

6. SCHEDULE NEXT MEETING DATE.

- a. Wednesday, January 5, 2022 at 7:00pm.

7. ADJOURNMENT.

Brost moved to adjourn. Rupert seconded the motion. Motion carried 6-0. Meeting adjourned at 7:34 p.m.

**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Wednesday, February 2, 2022

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Discussion regarding possible amendments to the Village's Tax Increment Financing Development Incentives Policy Manual and Application.

PREVIOUS ACTION:

The Development Incentives TIF Policy Manual & Application was approved in 2017, with some minor amendments in 2019.

ISSUE SUMMARY:

The October 6th joint meeting with the Village Board indicated a desire to evaluate some potential changes to the Village Tax Increment Financing Development Incentives Application. Some areas for possible consideration included:

- Disclaimer language
- Adjusting the amount of incentives provided based on the type of financing requested
- Adjusting the levels of funding provided based on development use/features (e.g. reducing incentives for market-rate multi-family development projects, greater incentives for projects with non-market rate housing, projects with sustainability features, etc.)
- Policies regarding the sale of Village-owned land (e.g. land sales below market value)
- Policies regarding payback period related to TID termination dates
- Patterns in any past approvals related to any exceptions granted to specific criteria
- Any desired changes to application review processes.

The CDA met on November 3rd to generally discuss these topics. Members concurred they wanted to keep the option of selling Village owned property at less than market rate as this provides a development incentive. Members also discussed considering using a tier approached to considering development incentives for mixed-use development, affordable multi-family housing development, and market-rate multi-family development. Members also concurred they would like to see more options for encouraging sustainability features (e.g. solar) rather than requiring these features as a prerequisite for receiving development incentives. Members also desired to provide clarity regarding how development incentives are approached from multi-phased projects.

The packet includes a track change version of the TIF Policy Manual and Application that



attempts to address some of these questions. This agenda item is presented for discussion only.

The packet includes a first draft of changes and additional staff review and research is anticipated after obtaining preliminary input from the CDA. We will utilize this meeting to discuss potential changes and any further revisions with potential action to make a recommendation to the Village Board at a future CDA meeting.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

This agenda item is presented for discussion only. We will utilize this meeting to discuss potential changes and any further revisions with potential action to make a recommendation to the Village Board at a future CDA meeting.

ATTACHMENTS:

1. McFarland_TIF Incentives Policy Manual and Application_01.27.22 DRAFT

TAX INCREMENT FINANCING DEVELOPMENT INCENTIVES POLICY MANUAL



1. PURPOSE

The attached policies, and associated application, have been adopted by the Village of McFarland for the purpose of guiding decisions related to requests for development incentives within Village Tax Increment Financing (TIF) districts.

2. DISCLAIMER

Requests for TIF incentives are referred to the Village's Community Development Authority (CDA) for a recommendation to the Village Board. The Village Board has the sole authority to make final decisions regarding development incentive applications, which may or may not align with recommendations provided by the CDA. The authority to make decisions regarding the use of TIF funds is vested solely in the Village Board of the Village of McFarland. This policy manual and associated application have been prepared by the Village to provide both Village Officials and applicants a consistent process and set of criteria for reviewing requests for TIF ~~assistance~~incentives. The ~~actual~~ amount of TIF ~~assistance incentives~~ provided to a project will be determined at the discretion of the Village Board on the basis of existing and projected TIF revenues, level of investment risk to the Village, quality of the proposed development, applicant's demonstration of financing need, need, risk, project characteristics, applicant qualifications, and the degree to which the project meets the public objectives of the Village described in Section 3 General Objectives and Section 6 Evaluation Criteria.

The Village Board reserves the right to amend or adjust these policies, and ~~recommend~~approve any project the Village Board deems to be in the best interests of the Village of McFarland. The Village Board also reserves the right to reject any and all applications, even those which satisfy all of the attached criteria for the use of TIF for any reason whatsoever, without regard for the viability of the project. The Village will provide the applicant with reasons for rejecting the application. Examples why a project may be rejected include but are not limited to: the Village's own capacity to fund the project, the scale of the project is too small, the project results in minimal public benefits, failure to meet one or more evaluation criteria, other existing Village, County or State funding programs are available for the proposed project, the project results in a tax exempt property, etc.

3. GENERAL OBJECTIVES FOR THE USE OF TAX INCREMENT FINANCING – DEVELOPMENT INCENTIVES

The overall objective of the ~~program TIF development incentives~~ is to stimulate (re)development of commercial, industrial, multi-family (4+ units) residential, and mixed-use underutilized or blighted properties within the boundaries of Village TIF districts. While TIF is an important and useful economic development tool, it is essential that it be used appropriately to accomplish the Village's economic development goals and objectives. A fundamental principle of tax increment financing is that it is designed to encourage development that would not otherwise ~~occur, or occur, or~~ would ~~only~~ occur to a lesser extent or quality under minimum zoning and building codes, "but for" the assistance provided through tax increment financing. It is the policy of the Village Board to consider the judicious use of TIF incentives for those projects that demonstrate a substantial and significant public benefit by:

- ✓ Eliminating blight, unhealthy, or unsafe conditions
- ✓ Strengthening the employment and economic base of the Village
- ✓ Increasing property values and tax revenues
- ✓ Fostering rehabilitation and conservation activities
- ✓ Installing, constructing, or reconstructing community amenities or utilities
- ✓ Implementing plans and development strategies adopted by the Village
- ✓ Implementing/Providing high-quality site and building designs and materials
- ✓ Providing high-quality affordable housing
- ✓ Providing sustainable development features such as solar or geothermal energy systems, EV charging stations, LEED certified buildings, etc.
- ✓ Serving as a catalyst for the redevelopment of other adjacent properties

4. ELIGIBLE COSTS & PROJECTS

Eligible Costs. Allowable uses of TIF development incentives include, but are not limited to:

- ✓ Land acquisition and surveying
- ✓ Environmental audits or remediation
- ✓ Rehabilitation of existing structures and utilities (interior or exterior)
- ✓ Demolition of buildings and site grading to bring sites to shovel ready status
- ✓ Construction costs of new building and utility improvements (interior or exterior)
- ✓ Installation of solar and geothermal energy systems, EV charging stations, or similar renewable energy improvements
- ✓ Site improvements (parking, landscaping, lighting, stormwater, signage, exterior sculptures/murals, etc.)
- ✓ Planning, legal, engineering, architectural, financing, permit costs and reasonable developer fees

Eligible Development Projects. Eligible development projects include those consisting of industrial, commercial, mixed-use, market rate multi-family residential (3+ units), or affordable housing developments within the boundaries of Village TIF districts. When a project involves multiple phases of new building construction, applicants may apply for TIF development incentives for each phase of development. The maximum amount of assistance, any merit-based adjustments, and payback criteria under Section 6 will be evaluated individually for each phase at the time of submittal of the development incentives application. Where a development project is anticipated to be built in multiple phases, applicants shall provide general development plans at the time the first phase is under review in accordance with zoning requirements. Applicants are further encouraged to discuss with the Village the intent to apply for additional development incentives for future development phases. In cases where projects are buildout, but later expanded to add additional phases not original conceived, any requests for development incentives will be evaluated individually for the additional phases.

5. METHODS OF FINANCING & PROJECT COMPLETION ASSURANCES

Applications for TIF assistance require the applicant to indicate the type of financing method they are requesting from the Village from the list of options below. The list is ordered sequentially based on the Village's preferred methods of providing TIF assistance. Applicants seeking more advantageous financing terms (e.g. Tax Increment Loan at Project Start) should be aware that the Village reserves the right to both specify which form of financing the Village will offer based on the merits of the project AND to lower the amount of TIF assistance (i.e. as the Village incurs more risk the Village reserves the right to reduce the amount of assistance below the amount requested). The Village may also consider the use of a combination of financing methods.

- Pay-As-You-Go (Developer Financed Loan): Under a pay-as-you-go incentive the applicant finances the upfront costs related to the construction project and the Village agrees to make an annual payment back to the applicant starting with the first year the Village receives taxes from the improved property (i.e. two years after project completion). The terms of the annual payment are subject to the development agreement negotiated and signed by both parties. The terms are typically represented as a percentage of the annual tax increment collected over a set period of years (e.g. 90% of the actual tax increment collect over 10 years or until the total requested financing amount has been reached).
- Tax Increment Loan at Occupancy. The Village may provide financing in the form of a tax increment loan at occupancy. Under this form of financing the Village provides a cash payment at the time ~~(e.g. within 60 days)~~ the ~~proposed~~ applicant completes the project ~~(i.e.g., within 60 days of --receiving--)~~ a building occupancy permit from the Village). The Village reserves the right to withhold a percentage of the TIF assistance until all landscaping or other site features have ~~has~~ been installed on the property in accordance with approved site plans, even if the Village has issued the building occupancy permit. The loan is paid back through future tax increments generated from the project based on the terms of the development agreement with the applicant.

- Tax Increment Loan at Project Start. The Village may provide financing in the form of a loan at the start of a project. Under this form of financing the Village provides a cash payment at the time the project starts (e.g. after completion of the development agreement and within 60 days of receiving all necessary building permits). The Village reserves the right to stagger payments to the applicant from the time of obtaining building permits to the time of receiving a building occupancy permit based on meeting predetermined construction milestones. The Village reserves the right to withhold a percentage of the TIF assistance until all landscaping has been installed on the property in accordance with approved site plans. The loan is paid back through future tax increments generated from the project.

Other forms of incentives:

- Traditional Loan. The Village may provide financing in the form of a loan at project start (e.g. after completion of the development agreement and within 60 days of receiving all necessary building permits). The terms of the loan (i.e. interest rate, amortization schedule, collateral) will be negotiated as part of the development agreement. The Village may also consider the use of no-interest loans or loans with forgivable payments (e.g. waiving a final payment) to provide an additional incentive to the applicant based on the merits of the proposed project. The use of future tax increments generated from the project to pay back the loan from the Village is not applicable. Examples of this type of financing are usually part of a community façade improvement revolving loan program. This type of financing is generally best suited for improvement projects that may generate minimal, or no tax increment value, yet provide other community benefits (e.g., installation of solar panels to an existing business, roof, sign or façade maintenance, etc.).
- Land Donations or Write-Down. Where the project involves the sale of Village property, the Village may provide a development incentive through the sale of property at less than market value. The Village reserves the right to include the value of any donated lands, or write downs, as part of the maximum assistance criteria.

Applicants are advised that the Village will require certain financial and project completion guarantees. These may include, but are not limited to, assessment guarantees, letters of credit, personal or corporate guarantees, minimum payment agreements, lien waivers for contractors, consent of mortgagee or other loan security instruments. In addition, the Village reserves the right to require an applicant to provide copies of paid invoices demonstrating actual costs incurred and to adjust accordingly any assistance provided by the Village in proportion to the ratio of estimated to actual project costs. All terms and obligations of the Village and the applicant shall be finalized through the execution of a development agreement.

6. EVALUATION CRITERIA – DEVELOPMENT INCENTIVE QUALIFICATIONS

The following criteria and qualifications will be used by the Village to evaluate requests for development incentives. All terms and obligations of the Village and the applicant shall be finalized through the execution of a development agreement.

- ☐ Location Criteria: The proposed project must be within the boundaries of a Village TIF district at the time of approval of a development agreement.
- ☐ Ownership Criteria: The applicant must be the owner of the property or have a written agreed option to purchase the property from the current owner at the time of approval of a development agreement. Proof of property ownership will be required prior to receiving financial assistance from the Village.
- ☐ “But For” Criteria: The applicant must demonstrate to the Village’s satisfaction that “but for” the TIF assistance, the project is not feasible on the proposed site, or would occur to a lesser extent, and that the public benefits described in Section 3 General Objectives would not be achieved but for the development incentive.
- ☐ Financial Capability Criteria: Each TIF application must include evidence that the applicant possesses the financial ability to complete and operate the project and will be liable for, or contribute equity of at least 15% of the total cost of the project. Proof of equity and private commercial lending commitment will be required prior to receiving financial assistance from the Village.

- Maximum Assistance Criteria⁺: The total amount of TIF assistance in support of a project is based on the form of incentives requested as described below and the overall value of the project to the community. For applicants requesting a combination of financing (e.g., e.g., pay-go and tax increment loan at occupancy) the maximum amount of assistance shall not exceed 30% of the estimated total project costs, with the final percentage within each form of financing determined by the Village Board. The Village at its discretion may include in the total percentage of project costs other costs incurred by the Village in support of bringing the subject property to shovel ready status (e.g., e.g., prior land acquisition costs, environmental remediation costs, public works costs, etc.).
 - For Pay-As-You-Go (Developer Financed) Agreements, the maximum amount of assistance is capped at 30% of the estimated total project costs.
 - For Tax Increment Loan at Occupancy Agreements, the maximum amount of assistance is capped at 20% of the estimated total project costs.
 - For Tax Increment Loan at Project Start Agreements, the maximum amount of assistance is capped at 10% of the estimated total project costs.
 - For Traditional Loan Agreements, the maximum amount of assistance is capped at 20% of the estimated total project costs.

Merit Based Adjustments to Maximum Assistance. In recognition of the Village’s goals and priorities for the use of TIF development incentives, the following adjustments to the maximum amount of assistance shall be provided:

- Market Rate Multi-Family Housing. For projects involving only the construction of market rate multi-family housing, the maximum amount of assistance shall be decreased by 5%.
- Affordable Housing. For projects involving the construction of affordable housing units, the maximum amount of assistance shall be increased by 5% provided a minimum of 50% of the units are leased to households earning 60% or less of the county median income for a minimum of 30 years. In lieu of providing any applicable partial or full waivers of impact fees under the Municipal Code for affordable housing projects, the Village may elect to increase the amount of TIF assistance in lieu providing a partial or full impact fee waiver.
- Renewable Energy Systems. For projects involving the installation of renewable energy systems, the maximum amount of assistance shall be increased by 5%, or 25% of the net cost of the renewable energy installation after applicable federal tax credits and grants, whichever is less. To be eligible, the renewable energy system must provide for at least 50% of the total electrical or natural gas consumed by the development.

Note, the maximum amount of assistance, and any merit-based adjustments are further subject to adjustments in order to meet the Payback Period Criteria.

- Payback Period Criteria⁺: All requests for TIF assistance will be required to demonstrate that the tax increment estimated to be generated by the project will be sufficient to payback any TIF assistance provided by the Village (including applicable interest expenses) in support of the project according to the following terms:
 - For Pay-As-You-Go (Developer Financed) Agreements. Payments to the Developer shall commence with the first year in which the Village receives tax increment from the completed project and continue no longer then the year in which the applicable TID terminates, or until the maximum amount of assistance is reached, whichever comes first. In addition, the annual amount of tax increment applied

⁺~~At the Village’s discretion, the maximum amount of assistance and/or the payback period criteria may be modified for projects that demonstrate substantial merit (e.g. completion of LEED Certified Buildings, projects which lead to at least 50% of all jobs created with annual salaries (not including benefits) at or exceeding the median household income for the Village as reported by the U.S. Census, etc.).~~

toward retirement of the developer loan shall not exceed 90% of the actual annual amount of tax increment collected from the project, unless a higher percentage is granted by the Village Board.

- ☐ For Tax Increment Loan at Occupancy Agreements. Within 12 years starting with the year the loan is obtained ~~and no longer then the year in which the applicable TID terminates.~~ In cases where the applicable TIF district has less than 12 years remaining, the Village may extrapolate whether the tax increment from the proposed development would be sufficient to retire the tax increment loan provided the TIF district would have 12 years remaining life and provided the TIF district has sufficient existing or projected fund revenues to offset any tax increment from the development project that can't be collected within 12 years due to closure of the TID.
- ☐ For Tax Increment Loan at Project Start Agreements. Within 7 years starting with the year the loan is obtained ~~and no longer then the year in which the applicable TID Expenditure Period ends.~~ In cases where the applicable TIF district has less than 7 years remaining, the Village may extrapolate whether the tax increment from the proposed development would be sufficient to retire the tax increment loan provided the TIF district would have 7 years remaining life and provided the TIF district has sufficient existing or projected fund revenues to offset any tax increment from the development project that can't be collected within 7 years due to closure of the TID.
- ☐ For Traditional Loan Agreements. Within 12 years starting with the year the loan is obtained and no longer then the year in which the applicable TID terminates. Interest shall be charged based on current general obligation loan interest rates from the Wisconsin Board of Commissioners of Public Lands, for the applicable loan term, at the time of Village disbursement of funds, plus 0.15%.
- ☐ Financial/Project Assurances Criteria: The applicant must agree to provide financial and project completion guarantees to the Village. These may include, but are not limited to, assessment guarantees, letters of credit, personal or corporate guarantees, minimum payment agreements, lien waivers for contractors, consent of mortgagee or other loan security instrument.
- ☐ Technical & Operational Capability Criteria: The applicant must provide evidence satisfactory to the Village that the applicant possesses the technical ability to complete the project or has obtained construction cost estimates from professional businesses capable of performing the work. Applicants must demonstrate that they have the ability to operate the proposed use. The Village may require applicants to submit copies of contracts with design professionals and construction contractors s prior to receiving financial assistance from the Village.
- ☐ Insurance Criteria: Applicants shall furnish to the Village certificates of insurance for all insurance policies required under the development agreement prior to receiving financial assistance from the Village.
- ☐ Adherence to Local Land Use Plans Criteria: The project is consistent with the Village of McFarland Comprehensive Land Use Plan, Village Building or Zoning Ordinances, or any other applicable plans and ordinances adopted by the Village which includes the subject property.
- ☐ Adherence to TIF Project Plan Criteria: All requests for TIF assistance must clearly comply with the requirements of the Wisconsin TIF Statutes and the Village's adopted TID Project Plan applicable to the subject property.
- ☐ Creation of Tax Increment Criteria: The project will not result in a tax exempt property, aside from any remnant portions of a parcel which are specifically dedicated to the Village for public use. Applicants will be required to return any TIF assistance provided to the Village if during the terms of the development agreement the property becomes exempt from property taxes.
- ☐ Applicant in Good Standing Criteria: The applicant does not have a history of delinquent property tax payments or own any property within the Village with known zoning or building code violations.
- ☐ Absence of Conflict of Interest Criteria: The applicant, or an immediate family member, is not a member of the Village Board or a Village Committee, or any other official, employee, or agent of the Village who is authorized to exercise policy decision-making functions or responsibilities in connection with the application.

- ☐ Application Criteria: A completed application, fee, and escrow have been filed with the ~~Village~~ Community & Economic Development ~~Department~~ Director.

8.7. APPLICATION PROCEDURE

Applications submitted for TIF assistance shall be reviewed through the following process:

- ☐ **Initial Staff Consultation.** Applicants are encouraged to meet with the Village Administrator and Community & Economic Development Director to discuss proposed TIF assistance requests and conceptual development plans prior to submitting an application.
- ☐ **~~Plan Commission Referral~~Preapplication Meetings (Non-mandatory).** Applicants are encouraged to meet with ~~may be referred to the Community Development Authority (CDA), and/or~~ the Village's Plan Commission, for a preapplication meeting to discuss the proposed project in order to gain better insight on how to design the project to meet the Village's TIF development incentives policies, planning objectives, and ~~and~~ applicable zoning permit requirements. Note, it is not the intent of the Plan Commission to make recommendations regarding the financing requested, only design aspects of projects. Feedback provided by the CDA and Plan Commission is non-binding.
- ☐ **TIF Application.** Application materials, including the required fee and escrow shall be submitted to the Village Community & Economic Development Director who will notify the appropriate Village Staff, Village Attorney or any ~~other professional consultants~~ who provides services to the Village whom are directed by the Village Community & Economic Development Director to review the application.
- ☐ **Fees and Escrow Deposit.** A nonrefundable processing fee in the amount of \$250 per application must be submitted with the application. In addition, the applicant will be required to submit an initial escrow deposit in the amount of \$2,500 per application, with addition \$2,500 increment payments as needed, to reimburse fees for professional services incurred by the Village related to the review of the application ~~or and~~ development agreement. These application fees and escrow deposits are in addition to those fees and escrow deposits required for zoning permit approvals.
- ☐ **Preliminary Determination of Completeness.** The Village Community & Economic Development Director, and other designated staff, will review the application for completeness and applicability. If the application is incomplete or if additional information is needed the applicant will be notified that the application is not complete, and the reasons will be stated referring to the specific additional information required. The applicant may then resubmit the application with additional information/modifications or may withdraw the application.
- ☐ **~~Project Management Team~~Staff Review.** ~~The Village's Project Management Team (PMT)~~Village staff, and/or Village consultants, will review the application for eligibility and complete a pro forma analysis of the project. In order to better understand the needs of the project, the applicant or staff may request a meeting(s). Review time will be approximately 30 days from the date the completed application is submitted to the Village; however, more or less time may be required for particular applications. Upon completion of staff review, the application and a supplemental staff report will be submitted to the ~~Village's Community Development Authority~~CDA for recommendation to the Village Board.
- ☐ **~~Community Development Authority~~CDA TIF Application Recommendation.** ~~Within 30 days of receiving the staff report the TIF application shall be reviewed by the Village Community Development Authority (CDA), unless a delay is requested by the applicant~~Upon completion of staff review, the application and associated staff report,

will be scheduled for the next available CDA meeting. The applicant will be notified of the date of the meeting(s)² in which the application is reviewed. Applicants, or their agents, will be required to be present at the CDA meeting to answer questions regarding the proposed project. The CDA will make a recommendation to the Village Board to approve, approve with conditions, deny the application, or ~~table-postpone action on~~ the application pending further discussion or information by the applicant.

- ☐ Village Board Preliminary Approval of TIF Application. The application will be reviewed by the Village Board at its next scheduled meeting following action by the CDA. The applicant will be notified of the date of Village Board meeting(s)² in which the application is reviewed. Applicants, or their agents, will be required to be present at the Village Board meeting to answer questions regarding the proposed project. ~~The Village Board at their discretion may refer the matter to another Village committee for recommendation or may hold a public hearing.~~ The Village Board may approve, approve with conditions, deny the application, or ~~table-postpone~~ the application pending further discussion or information by the applicant. The Village Board may also refer the matter back to the CDA, or another Village committee, for further advice. *Note, at this stage in the process the Village Board may make a determination as to whether to provide TIF assistance, a maximum amount of assistance, the form of incentives, and required assurances. These decision points will provide parameters for Village Staff and the applicant to negotiate a draft Development Agreement for future consideration by the Village Board.*
- ☐ Draft Development Agreement. Upon preliminary approval of the TIF Application by the Village Board, Village Staff and the Village Attorney shall ~~create a draft a~~ Development Agreement based on the direction provided by Village Board. The draft Development Agreement will be reviewed with the applicant. The Development Agreement will describe the obligations of both the Village and the applicant, and the terms and conditions of TIF assistance.
- ☐ Financial Background Review. Village Staff, or the Village Attorney, shall complete a financial background review of the applicant. The applicant shall work in good faith to provide financial background materials requested by the Village, including but not limited to, commercial loan commitments, credit reports, personal and business financial statements and tax returns for at least the last two years.
- ☐ CDA Recommendation on Development Agreement. The CDA will meet² to review the financial background review and provide a recommendation to the Village Board regarding the Development Agreement.
- ☐ Village Board Final Approval of Development Agreement. The Development Agreement will be ~~reviewed by the~~ consider for approval by the Village Board². ~~The applicant will be notified of the date of Village Board meeting(s)² in which the Development Agreement is reviewed. Applicants will be required to be present at the Village Board meeting to answer questions regarding the proposed Development Agreement. The Village Board may approve, approve with conditions, deny the Development Agreement, or table action pending further discussion or information by the applicant. Note, the applicant shall also be responsible for submitting other documentation in order to gain required zoning or building permit approvals.~~
- ☐ Expiration. Approved TIF applications shall become void if after six months (6) from the date of approval the applicant and Village have not executed the Development Agreement, unless both parties agree to an extension.

² The CDA and/or Village Board may meet in closed session, pursuant to Wisconsin statutes, to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically to discuss the TIF application or Development Agreement.

Planning & Zoning Permits

Development projects are also subject to separate planning and zoning permit reviews by the Plan Commission and Village Board as applicable. Typically, these reviews will occur concurrently with the review of the TIF application. Approval processes, required permits, and meeting schedules can be reviewed during the Initial Staff Consultation.

**TAX INCREMENT FINANCING
DEVELOPMENT INCENTIVES
APPLICATION**



Application ID: _____ (Year) - _____ (#) to be completed by Village ~~Community Development~~
~~Director~~Staff upon submittal

Please complete and submit the following information to the Village Community & Economic Development Director for a more detailed review of the feasibility of your request for Tax Incremental Financing (TIF) Development Incentives. The application is comprised of five sections: (A) Applicant Information, (B) Property Information, (C) Project/Business Information, (D) TIF Request, (E) Budget/Financing Strategy, and (F) Applicant Certification and Acknowledgement. Where there is not enough room for responses provided, please use an attachment. Where questions do not apply, mark NA (not applicable). Applicants are encouraged and may be required to submit additional information such as site plans, environmental studies, market studies, business plans, business or personal financial statements, or financial commitment letters to be included for review and consideration.

A. APPLICANT INFORMATION

Project Name: _____

Applicant: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____

Email: _____

Fax: _____

Legal Entity: ☐ Individual(s)

☐ Joint Tenants

☐ Tenants in Common

☐ Corporation

☐ LLC

☐ Partnership

☐ Other: _____

If not a Wisconsin corporation/partnership/LLC, state where organized: _____

Will new entity be created for ownership? ☐ No ☐ Yes

Is any owner, member, stockholder, partner, officer or director of any previously identified entities, or any member of the immediate family of any such person, an employee or elected official of the Village of McFarland?

☐ No ☐ Yes, If yes, give the name and relationship of the employee: _____

Provide the names of consultants (e.g. attorneys, engineers, planners, architects, contractors, etc.) authorized to act on behalf of the applicant.

Name	Title/Company	Email	Phone #
------	---------------	-------	---------

B. PROPERTY INFORMATION

Parcel(s) Address: _____

Parcel(s) Tax Number: _____

As the Applicant, are you the current owner of this parcel(s)? ☐ No ☐ Yes

If no, current owner is: _____

If no, do you have an agreed upon option to purchase the property? ☐ No ☐ Yes (provide documentation and note the expiration date here): _____

Total Lot Size: _____ square feet

Parcel Contains Existing Buildings? ☐ No ☐ Yes

If yes, indicate Total Building Size _____ sq.ft.

Most recent property assessment (PA):

\$ _____ Land \$ _____ Improvements \$ _____ Total

Existing Uses: _____

Existing Zoning: _____

Existing Uses, Adjacent Parcels: _____ N _____ S _____ E _____ W

Existing Zoning, Adjacent Parcels: _____ N _____ S _____ E _____ W

Will a zoning change be requested? ☐ No ☐ Yes

If yes, indicate new zoning _____

Identify other approvals, permits, or licenses your project may need (e.g. County, State or Federal permits).

Date Occupied or Opened: _____

Number of principal buildings: _____ Estimated total building square footage: ~~and estimated square~~
~~footage:~~ _____

Estimated equalized assessed valuation after project completion (EAV)

\$ _____ Land \$ _____ Improvements \$ _____ Total

Estimate the incremental property taxes to be generated by the project (attach any independent appraisals).

Pre-improvements: \$ _____ PA x _____ Mill Rate = \$ _____ Total (A)

Post-improvements: \$ _____ PA x _____ Mill Rate = \$ _____ Total (B)

Additional increment (B-A) = \$ _____

Will the proposed project result in the relocation of economic activity/businesses from another location within the Village? ☐ No ☐ Yes

If yes, discuss the nature of any anticipated relocations and the impact the relocation would have on the existing property or neighborhood where such activity is currently located.

Will the proposed project result in the relocation of economic activity from an adjacent community?

☐ No ☐ Yes

If yes, discuss the nature of any anticipated relocations and the impact the relocation would have on the community where such activity is currently located.

Identify any proposed tenants of the project. Have leases been negotiated or signed? ☐ No ☐ Yes

Who will own and operate the developed property? _____

Do similar businesses/uses already exist in McFarland?

☐ No ☐ Yes, If yes, indicate _____

Describe any differences in your proposed business/uses to existing businesses/uses

Current and Created Jobs by Annual Wage Range (Full Time ≥ 30 hrs/week).

\$0-\$19,000

_____ Full Time (current) _____ Part Time (current) _____ FT (created) _____ PT (created)

\$20,000-\$39,000

_____ Full Time (current) _____ Part Time (current) _____ FT (created) _____ PT (created)

\$40,000-\$59,000

_____ Full Time (current) _____ Part Time (current) _____ FT (created) _____ PT (created)

\$60,000+

_____ Full Time (current) _____ Part Time (current) _____ FT (created) _____ PT (created)

Average per hour wage rate of all employees (not including benefits) \$ _____

Minimum hourly wage rate (not including benefits) \$ _____

Approximately what percentage of employees do you expect will be hired from the McFarland area (i.e. 53558 zip code) _____.

Will the proposed business offer its employees a benefit package including health care and retirement benefits?

☐ No ☐ Yes

Discuss neighborhood impact/support for the project. Has the applicant discussed the project with neighboring property owners? ☐ No ☐ Yes

Discuss any history of community involvement by the applicant or business within the Village.

Has any portion of the project already been started or completed? ☐ No ☐ Yes

If yes, describe the portions of the project completed, the work remaining, and why public financing is necessary to complete the project.

☐ Professional Fees ☐ _____ Other _____

E. PROJECT BUDGET AND FINANCIAL STRATEGY

Project Costs	Amount (\$)	Source(s) of Financing
Property Acquisition/ <u>Surveying</u>		
Environmental testing/remediation <u>Audits</u>		
<u>Site Grading</u>		
Demolition/ <u>Remediation</u>		
Construction of new <u>New building</u> <u>Building(s)</u>		
<u>Renovation of Existing Structures</u>		
<u>Site Improvements</u> <u>Utility Improvements (water, sewer, storm, etc.)</u>		
<u>Renovation</u> _____ of _____ existing structures		
<u>Streets/Parking/Access</u>		
<u>Landscaping/Recreation/Conservation</u>		
<u>Renewable Energy Systems</u>		
<u>Cost</u> _____ of _____ installation _____ of machinery/equipment		
<u>Exterior Sculptures/Murals</u>		
Architectural/Engineering fees		
Legal & other professional fees		
Permit fees		
Financing fees		
Developer fees		
Other (please specify)		
Total Project Costs		

Budget source: ☐ Developer ☐ Arch/Eng ☐ Contractor ☐ Other _____

Sources of Financing	Amount (\$)	Percent of Total Costs
TIF		%
Equity		%
Loans		%
Grants		%
Other (please specify)		%
Total Project Costs		100.0 %

Lender for Project if in addition to the Village: _____

Officer _____ Phone _____ Email _____

Preapproved: ☐ No ☐ Yes, attach a Letter of Commitment from the Lender indicating that the applicant has sufficient financial resources to obtain the private financing for the project.

Grant Sources: _____ Grant Amount: _____

Grant Officer: _____ Phone _____ Email _____

Application Status: _____

Date of Grant Announcement: _____

F. APPLICANT CERTIFICATION AND ACKNOWLEDGEMENT

I acknowledge being informed that the Village of McFarland (Village) will, upon request by a member of the public or in the course of reporting its activities to the public, disclose the names of individuals requesting Tax Incremental Financing (TIF), the amount of TIF requested, state/federal programs used, if any, and the development impact of the TIF requested (e.g. jobs created, tax base impact and total project investment). I have been assured by the Village, and I understand, that other financial information provided by me in connection with this application or with assistance from the Village, if any is given (including, but not necessarily limited to business and personal financial statements, business operating statements, data on historical and projected future sales or other aspects of business performance, and business plans) will, to the extent permissible by law, and except for use in collection proceedings, if any, be treated as confidential. This will confirm that I have relied upon such assurance by the Village in providing financial information to the Village, and that, but for such assurances, such information would not be provided.

I certify that the information contained in this application is, to the best of my knowledge, true and correct. I agree to notify the Village, in writing, of any changes that materially affect the accuracy of this statement. I authorize the Village or its agents to verify the information provided in this application and to obtain additional information concerning the applicant(s) financial condition.

I certify through signing the TIF application that the final form and amount of financing the Village offers may differ from that requested. The form and amount of financing shall be finalized through the execution of a development agreement.

I certify that financial, insurance, and project assurances will be required as part of the final development agreement to be negotiated with the Village upon preliminary approval of this application. These may include, but are not limited to, assessment guarantees, letters of credit, personal or corporate guarantees, minimum payment agreements, lien waivers for contractors, consent of mortgagee or other loan security instrument. All terms and obligations of the Village and the applicant shall be finalized through the execution of a development agreement.

I certify, by signing and submitting this application, that additional costs, above the amount of the application fee, incurred by the Village for outside professional review or expertise of this application, and any development agreement resulting from this application, will be the responsibility of the applicant. I further certify, that denial of the application or failure to reach agreement with the Village on a development agreement shall not entitle the applicant to a refund of the application fee or any amounts of the escrow used in the review of the application.

Applicant _____ Title _____

Signature _____ Date _____

Return To:

Village of McFarland
Attn: Village Community & Economic Development Director
5915 Milwaukee Street
McFarland, WI 53558
P: 608-838-3153

McFarland
SUMMARY SHEET

MEETING DATE: Wednesday, February 2, 2022

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Presentation of Directors report

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. C&ED Director's Report_December 2021(2)

Memorandum

To: McFarland Plan Commission

From: Andrew Bremer, AICP
Community & Economic Development Director

Date: January 13, 2021

Re: **December 2021, Community & Economic Development Department Highlights**

The following is a summary of new construction activity for the month and YTD, including permit numbers and associated revenues.

YTD New Construction Building Permits

	2020	6-Year	4-Year	2-Year	2021
Building Permits (new construction)	Actual	Average	Average	Average	Actual YTD
SF (Total Units)	50	52	62	58	18
Duplex (Total Units)	2	10	14	8	0
MF (Total Units)	100	34	42	64	104
Total Res. Units	152	96	117	130	122
Commercial	2	3	3	2	0

47 total building permits issued in the month with three new single family housing permits issued for Rosewood Fields. 2021 started with 17 vacant SF lots in the active east-side subdivisions (excluding Rosewood Fields), there are 7 remaining (5 in Ridge View along Holscher Drive and 2 in Park View Estates). All single family lots in the Juniper Ridge and Prairie Place subdivision are now buildout.

YTD Department Revenues

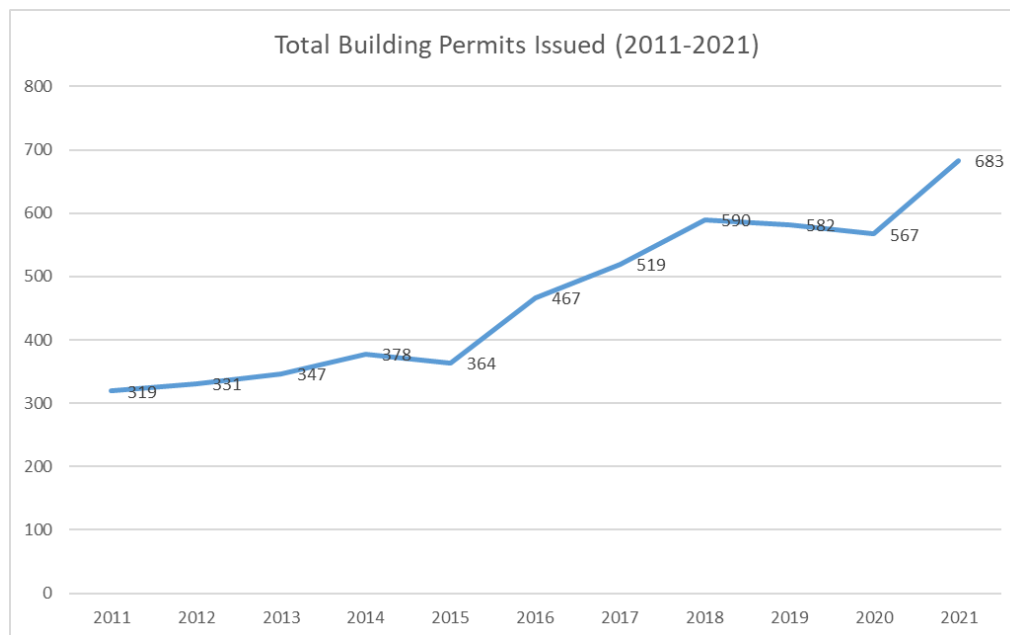
		2020	6-Year	4-Year	2-Year	2021	2021	YTD % of
Account		Actual	Average	Average	Average	Budget	Actual YTD	Budget
44300-101	Building Permit	\$ 107,880	\$ 86,912	\$ 108,271	\$ 107,597	\$ 100,000	\$ 83,031	83%
44300-102	HVAC Permit	\$ 35,771	\$ 31,876	\$ 39,038	\$ 33,402	\$ 42,500	\$ 22,960	54%
44300-103	Plumbing Permit	\$ 34,745	\$ 33,641	\$ 40,767	\$ 36,058	\$ 42,500	\$ 26,399	62%
44300-104	Electrical Permit	\$ 50,335	\$ 42,755	\$ 52,062	\$ 48,718	\$ 48,000	\$ 34,549	72%
44300-105	Sprinkler Fee	\$ 6,210	\$ 3,197	\$ 4,776	\$ 4,466	\$ 7,750	\$ 8,870	114%
44300-106	Fire Alarm Inspection Fee	\$ 2,465	\$ 2,485	\$ 3,728	\$ 3,490	\$ 5,000	\$ 1,790	36%
44300-108	CD Occupancy Inspection Fee	\$ 9,535	\$ 8,148	\$ 9,496	\$ 8,993	\$ 9,000	\$ 6,645	74%
44900-000	Misc. CD Permit Fees (fence, sig	\$ 136,217	\$ 125,238	\$ 156,972	\$ 120,464	\$ 75,000	\$ 61,653	82%
46800-000	Community Development Fees (	\$ 22,556	\$ 11,887	\$ 12,530	\$ 16,166	\$ 12,500	\$ 10,840	87%
47210-000	City - Building Inspection	\$ -	\$ 18,696	\$ 10,159	\$ -	\$ -	\$ -	0%
	Total Revenue	\$ 405,713	\$ 364,834	\$ 437,798	\$ 379,353	\$ 342,250	\$ 256,737	75.0%

* As of 12/31, 100% through calendar year

Total C&ED deposits for the month were \$19,600.55.

Additional Year in Review Summary

A total of 683 building permits were issued in 2021. This represents a ten-year high and a 20% increase from the previous three years.



Summary of Department Activities:

- Revisions to Ordinance 2021-11 regarding updates to vision triangle regulations.
- Economic development planning and development meetings for various properties in TID #3, 4, & 5.
- Village Board action on prior month C&ED related applications/projects:
 - 4902 Terminal Drive. Approval of Real Estate Acquisition & Development Agreement for Waubesa Village Phase 4.
- Status update of larger development projects previously approved:
 - 5411 Bashford (Dan Chin Homes). Staff prepared and submitted a WEDC Community Development Investment Grant Application of \$250K for 5411 Bashford mixed-use development. Additional funding was sought by the developer to offset rising construction costs since last summer. WEDC rejected the funding request. Developer is proceeding with the project and sale of the property to occur by the end of January.
 - 4900 Larson Beach Road (Taylor Pointe Apt). Exterior siding, pervious pavement parking lot, sidewalks, and landscaping completed. Working on interior finishes.
 - Rosewood Fields (Veridian, CTH AB). Construction of site utilities, roads and sidewalks complete. Connection to CTH AB and trail completed. Department has received three building permits to date.
 - Northpointe Development (Holscher & Broadhead). Site grading and foundation work commenced on three story apartment building.
- Public Meetings, Webinars & Conferences attended by Department Director:
 - December 1st, CDA meeting
 - December 13th, Committee of Whole meeting
 - December 13th, Village Board meeting
 - December 16th, MadREP webinar: [EDA Funding Opportunities for Local Governments](#)
 - December 20th, Plan Commission meeting

Look ahead to potential February 21st PC Agenda Items:

- 4800 Ivywood Trail, Underdog Pet Rescue. Public hearing on a conditional use permit from Underdog Pet Rescue for a veterinary clinic, dog boarding, dog daycare and dog training business.
- 4306 Terminal Drive, US Oil. Action on an amendment to an existing conditional use permit, and site design permit, to add additional rail spur extension.
- 4015 Terminal Drive, Kwik Trip. Action on a temporary conditional use permit to allow Kwik Trip fleet vehicles to park on the site up until construction of the new Kwik Trip convenience store is built.
- 4802 March Road, Village of McFarland. Action on a site design permit from the Village of McFarland to construct eight pickleball courts at McFarland Park.
- East Side Neighborhood Growth Area Plan Update. Recommendation to Village Board on preferred consultant.

Look ahead to potential March 2nd CDA Agenda Items:

- Potential action on Village TIF Development Incentives Policy Manual & Application