

**BUSINESS IMPROVEMENT DISTRICT NO. 16  
UPTOWN CROSSING BUSINESS DISTRICT  
2018 PROPOSED OPERATING PLAN**

September 12, 2017

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## WEST NORTH AVENUE BUSINESS IMPROVEMENT DISTRICT

## **2018 OPERATING PLAN**

### **I. INTRODUCTION**

#### **A. Background**

In 1984, the Wisconsin legislature created Sec. 66.1109 (formerly S. 66.608) of the Statutes (See Appendix A) enabling cities to establish Business Improvement Districts (BID) upon the petition of at least one property owner within the proposed District. The purpose of the law is “. . . to allow businesses within those Districts to develop, manage and promote the Districts and to establish an assessment method to fund these activities.”

Upon petition from property owners within the West North Avenue Business District, the Common Council of the City of Milwaukee on September 27, 1995, by Resolution File Number 95078 created BID No. 16 (West North Avenue) and adopted its initial Operating Plan.

Section 66.1109 (formerly 66.608) (3) (b), Wis. Stats., requires that a BID Board “shall annually consider and make changes to the Operating Plan . . . The Board shall then submit the Operating Plan to the local legislative body for approval.” The Board of BID No. 16 (Uptown Crossing Business District) submits this 2018 BID Operating Plan with technical assistance from the City of Milwaukee Department of City Development in fulfillment of the statutory requirement.

This plan proposes a continuation and expansion of the activities described in the initial July, 1995, BID Operating Plan. Therefore, it incorporates by reference the earlier plan as adopted by the Common Council. In the interest of brevity, this plan emphasizes the elements which are required by Sec. 66.608, Wis. Stats., and the proposed changes for 2018. This plan does not repeat the background information, which is contained in the initial Operating Plan.

## **B. Physical Setting**

No changes in District planning or zoning have occurred since adoption of the initial Operating Plan. The BID District is now part of the City of Milwaukee's Comprehensive West Side Plan. (<http://city.milwaukee.gov/Plansandstudies/West.htm>)

## **II. DISTRICT BOUNDARIES**

Boundaries of the District are put forth in Appendix B of this plan. A listing of the properties included in the District is provided in Appendix C.

## **III PROPOSED OPERATING PLAN**

### **A. Plan Objectives**

The BID will be used to finance the business property owners' share of the cost and ongoing maintenance of streetscape improvements. The objectives of this ongoing streetscaping project are as follows:

- A. To improve the overall appearance and image of the street.
- B. To enhance safety and security by increasing the amount of street and pedestrian level lighting.
- C. To attract new businesses and increase private investment in the District.
- D. To create an environment which will attract new customers and increase the economic viability of the area.

The streetscaping may include, but is not limited to, improvements such as; installation of pedestrian level “harp” lighting; replacing portions of the curb, gutter, and sidewalk; distinctive painting of pedestrian street crossings in the District; replacing portions of the sidewalk with paving brick; planting of street trees; and installation of bollards, benches, waste containers, information kiosks, banners, landscaping, public art and other streetscape amenities.

## **B. Proposed Activities**

Principal activities to be undertaken by the BID during 2018 will include, but are not limited to the following:

- A. Maintaining communication with the property owners and business operators in the District regarding the design and implementation of the project via quarterly newsletters to the District and our updated website ([www.uptowncrossing.com](http://www.uptowncrossing.com)).
  
- B. Via involvement with other community resources and/or private developers, the BID will investigate avenues to facilitate economic development, real estate acquisition and redevelopment opportunities, and activities including management of BID functions. In the 2011 plan the board authorized expenditures for field measuring and preparing architectural drawings for two properties in the district which were listed for sale, were vacant and in need of major repairs. The renovation plans were completed and the BID issued an RFP aimed at a small developer or investor with the intent of creating a redevelopment partnership to improve one or both of these target properties. Both properties that were identified have been

sold to new owners. The BID board will continue to be proactive in seeking development partners and/or planning on forming a separate entity or partnership to acquire and rehab other properties in the District. We will work with the City's Department of City Development personnel in obtaining funding to maximize the positive impact that a building redevelopment can have on the entire BID District.

- C. Monitoring the ongoing maintenance of streetscape improvements, including maintenance to the public art projects at the French Immersion School and West Triangle.
- D. Negotiating and entering into a landscape maintenance agreement to provide installation and ongoing maintenance of plants, street banners including five (5) seasonal changes, and weekly portering services.
- E. Provide matching funds to City of Milwaukee Façade Grant Program. We plan to give up to \$2,500 to business owners that apply for and receive façade funding from The City. Example: \$10,000 Façade Improvement, City Funds \$5,000, BID 16 Funds \$2,500, Cost to Owner: \$2,500.
- F. Provide a contribution to BID business owners who participate in the Cities Surveillance Camera Program, up to \$600 per qualified participant per business address.
- G. Investigate ways to increase off street parking in the District where possible.
- H. Installation of a small urban orchard and park at N. 56<sup>th</sup> Street and W. North Ave.

## C. Proposed Expenditures

### PROJECT BUDGET 2018

#### Expenses

Repairs and Maintenance (street/sidewalk cleaning; refuse container repair/replacement; electrical maintenance, maintenance to the public art sculptures; electric usage for holiday décor, etc.)	\$38,841.00
Grounds (landscaping; crosswalk striping; holiday light pole decorations)	\$24,000.00
Administrative (management fee; postage; street banners; District newsletter; website updates; accounting for annual audit; special events; façade program)	\$70,570.00
Insurance	\$3,000.00
Total Operating Expenses	\$136,411.00
R.E. Development/Rehab/Lisbon Ave	\$30,000.00
Debt Expense* (Repayment to City of Milwaukee)	\$6,000.00
Contract Community Design Solutions to facilitate the Community Design Development Charette process for the Uptown Crossing BID.	\$10,000.00
Total BID Expenses for 2018	\$182,411.00

\* The streetscaping project was initiated in September 1996. In 2010, the BID completed this major project which was nearly completed in 2009, including the changing out of all cobra street lighting to match the pedestrian level lighting;

adding holiday lighting and other street amenities (i.e., street furniture, bus shelter amenities, etc.). Project costs were initially approved for approximately \$250,000. This is a matching grant project with 50% paid by the BID and 50% paid by the City.

The District will expend funds for maintenance of the streetscape amenities and the direct operation of the District. As City of Milwaukee resources get stretched by increasingly limited available funds, greater levels of private (BID) activity become necessary to keep the District clean, well maintained and attractive to new business prospects and people frequenting retail establishments in the area. Visitors to West North Avenue and West Lisbon Avenue expect an environment that makes them feel comfortable and safe as they conduct business in the area.

The BID Board will have the authority and responsibility to prioritize expenditures and to revise the District budget as necessary to match the funds actually available. Any funds unspent at the end of 2017 shall be carried over to 2018 and applied against future expenses.

#### **D. Financing Method**

It is proposed to raise \$129,479.00 through BID assessments (see Appendix D).

The City of Milwaukee and the District jointly and cooperatively fund the streetscaping. The District's share of the cost of the streetscaping and the operating expenses of the District have been funded by BID assessments on taxable properties within the District

The District entered into a Public Improvement Development and Maintenance Agreement, identified as Contract No. 96-239 (CM), dated April 2, 1997, with the City of Milwaukee.

The Public Improvement Development and Maintenance Agreement constitutes a long-term commitment and the District will not be terminated until all repayments to the City have been made and adequate provision is made for the

operation and management of the improvements financed through the District. The Public Improvement Development and Maintenance Agreement are in addition to this Operating Plan.

### **E. Organization of BID Board**

The Board's primary responsibility is the implementation of this Operating Plan. The current BID No. 16 Board of Directors is comprised as follows:

- Gordon Steimle  
Neighborhood resident, Washington Heights location
- Chris Hau  
Neighborhood resident, Architect Quorum Architects
- Christine McRoberts  
Property owner, business owner, North Avenue location
- Matthew O'Neill  
Neighborhood resident, Washington Heights location
- Jason Rae  
Associate at Nation Consulting, area business
- John Mueller  
A Washington Heights neighbor, property owner, North Ave
- Ranell Washington  
Associate at Town Bank, area business

The BID Board is currently seeking area property owners and business owners to join the BID Board; there are currently no open leadership position on the Board.

### **F. Relationship to Milwaukee West North Avenue Business Association**

The BID shall be a separate entity from the Milwaukee West North Avenue Business Association notwithstanding the fact that members, officers, and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law and not subject to the public record law except for its records generated in connection with the BID to provide services to the BID. At present, the Business Association is not actively operating.

#### **IV. METHOD OF ASSESSMENT**

##### **A. Assessment Rate and Method**

As of 2018 the commercial properties in the District had a total assessed value of \$26,420,600. This plan proposes to assess the taxable property in the District at a 2017 rate of \$5.00 per \$1,000 of assessed value for the purposes of the BID. Appendix A shows the projected BID assessment for each commercial property included in the District.

The principle behind the assessment methodology is that each property owner should contribute to the BID in proportion to the benefit derived from the BID. After consideration of assessment methods, it was determined that the assessed value of the property was the characteristic most directly related to the potential benefit provided by the BID.

The variables used to determine the regular BID assessments are:

1. The total assessed value of each tax key parcel within the District;  
and
2. The specific dollar amount per \$1,000 of the assessed value of each tax key parcel.

The assessment methodology is as follows: For each of the taxable tax key parcels within the BID boundaries, the BID assessment is calculated by applying a \$5.00 per \$1,000 charge against the assessed value of the parcel.

## **B. Excluded and Exempt Property**

The BID law requires explicit consideration of certain classes of property. In compliance with the law, the following statements are provided:

1. Sec. 66.608 (1) (f) Im: The District may contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the District.
2. Sec. 66.608 (5) (a): Property known to be used exclusively for residential purposes will not be assessed. Such properties are identified as BID Exempt Properties in Appendix A, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding Sec. 66.608 (1) (b), Wis. States., property exempt from general real estate taxes have been excluded from the District. Privately owned tax exempt property, which is expected to benefit from District activities, may be asked to make a financial contribution on a voluntary basis.

## **V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY**

### **A. City Plans**

In February 1978, the Common Council of the City of Milwaukee adopted a Preservation Policy as the policy basis for its Comprehensive Plan and as a guide for its planning, programming and budgeting decisions. The Common Council reaffirmed and expanded the Preservation Policy in Resolution File Number 881978, adopted January 24, 1989.

The Preservation Policy emphasizes maintaining Milwaukee's present housing, jobs, neighborhoods, services, and tax base rather than passively accepting loss of jobs and population, or emphasizing massive new development. In its January 1989 reaffirmation of the policy, the Common Council gave new emphasis to forging new public and private partnerships as a means to accomplish preservation.

The District is a means of formalizing and funding the public-private partnership between the City and property owners in the West North Avenue Bid District #16 business area and for furthering preservation and redevelopment in this portion of the City of Milwaukee. Therefore, it is fully consistent with the City's Comprehensive Plan and Preservation Policy.

### **B. City Role in District Operation**

The City of Milwaukee has committed to helping private property owners in the District promote its development. To this end, the City has

played a significant role in the creation of the BID and in the implementation of its Operating Plan. In particular, the City will continue to:

1. Provide technical assistance to the proponents of the District through adoption of the Operating Plan and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds, which could be used in support of the District.
3. Collect BID assessments, maintain the BID assessments in a segregated account, and disburse the BID assessments to the District.
4. Receive annual audits as required per Sec. 66.608 (3) (c) of the BID law.
5. On or before June 1<sup>st</sup> of each plan year, provide the Board, through the Tax Commissioner's Office, with the official City records on the assessed value of each tax key number within the District as of January 1<sup>st</sup> of each plan year for the purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the District.

## **VI. PLAN APPROVAL PROCESS**

### **A. Public Review Process**

The Wisconsin Business Improvement District law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the District Board established to implement the Plan.

**B. Early Termination of the District**

The City shall consider terminating the District if the owners of property assessed under the Operating Plan having a valuation equal to more than 50% of the valuation of all property assessed under the Operating Plan, using the method of valuation specified herein, or the

owners of property assessed under the Operating Plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the Operating Plan, file a petition with the City Plan Commission requesting termination of the District. On or after the date such a petition is filed, neither the Board nor the City may enter into any new obligations by contract or otherwise until the expiration of thirty (30) days after the date a public hearing is held and unless the District is not terminated.

Within thirty (30) days after filing of a petition, the City Plan Commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a Class 2 notice. Before publication, a copy of the notice with a copy of the Operating Plan and a copy of the detail map showing the boundaries of the District shall be sent by certified mail to all owners of real property within the District.

Within thirty (30) days after the date of such hearing, every owner of property assessed under the Operating Plan may send a written notice to the City Plan Commission indicating, if the owner signed a petition, that the owner retracts the owner's request to terminate the District or, if the owner did not sign the petition, that the owner requests termination of the District.

If, after the expiration of thirty (30) days after the date of the public hearing, by petition or subsequent notification and after subtracting any retractions, the owners of property assessed under the Operating Plan having a valuation equal to more than 50% of the valuation of all property assessed under the Operating Plan, using the method of valuation specified in the Operating Plan, or the owners of property assessed under the Operating Plan having an assessed valuation equal to more than 50% of the assessed valuation of all properties assessed under the Operating Plan have requested the termination of the District, the City shall terminate the District on the date that the obligation with the latest completion date entered into to implement the Operating Plan expires.

## **VII. FUTURE YEARS' OPERATING PLANS**

It is anticipated that the BID will continue to revise and develop the Operating Plan annually in response to changing development needs and opportunities in the District, in accordance with the purposes and objectives defined in this Operating Plan.

Section 66.608 (3) (a) of the BID law requires the BID Board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the complete development project, it focuses upon 2018 activities. Information on specific assessed values, budget amounts, and assessment amounts are based on 2017 conditions. Greater detail about subsequent years' activities will be provided in the required annual plan updates. Approval by the Common Council of such Operating Plan updates shall be conclusive evidence of compliance with this Operating Plan and the BID law.

## **VIII. AMENDMENT, SEVERABILITY, AND EXPANSION**

The BID has been created under the authority of Section 66.608 of the Statutes of the State of Wisconsin. Should any court find any portion of this statute invalid or unconstitutional, its decision will not invalidate or terminate the BID and this BID Operating Plan shall be amended to conform to the law without need of re-establishment.

Should the legislature amend the statute to narrow or broaden the process of a BID so as to exclude or include as assessable properties of a certain class or classes of properties, then this BID Operating Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual review and approval of the Operating Plan and without necessity to undertake any other act. This is specifically authorized under Sec. 66.608 (3) (b), Wis. Stats.

## **APPENDICES**

- A. STATUTE
- B. DISTRICT BOUNDARIES
- C. PROPERTY LISTING
- D. 2017 PROJECTED ASSESSMENTS