

**AGENDA  
CITY OF STURGEON BAY  
PLAN COMMISSION**

Wednesday, March 15, 2023 at 6:00 p.m.  
City Council Chambers  
421 Michigan Street, Sturgeon Bay, WI

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 15, 2023.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Conditional Use application from Jurgita and David Kana to convert single-family dwelling to two-family dwelling on property located at 114 N. 7<sup>th</sup> Avenue, parcel #281-62-25002701A.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration/Recommendation
6. Project plan and boundaries for Tax Incremental District #8.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration
7. Consideration of: Exception to street yard (setback) in the Central Business (C2) district for proposed Muse development located at corner of 3<sup>rd</sup> Avenue and Jefferson Street, parcel #281-10-85380604B.
8. Consideration of: Initial presentation of zoning map amendment petition by Rachel Garaventa from C-1 to R-4 for parcel located at the northwest corner of Alabama Street and 18<sup>th</sup> Avenue - parcel # 281-70-33001113D.
9. Adjourn.

*NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.*

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

03/10/23  
11:30 a.m.  
CS

Plan Commission Members

Mayor David Ward  
Ald. Kirsten Reeths  
Ald. Helen Bacon  
Ald. Dennis Statz  
Mark Holey  
Jeff Norland  
Amy Stephens

**CITY PLAN COMMISSION MINUTES**  
**February 15, 2023**

A meeting of the City Plan Commission was called to order at 6:00 p.m. on Wednesday, February 15, 2023, by Mayor Ward in Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

**Roll Call (#1):** Members David Ward, Dennis Statz, Helen Bacon, Kirsten Reeths, Mark Holey, Jeff Norland and Amy Stephens were present. Staff present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Cindy Sommer.

**Agenda (#2):** Motion by Ms. Bacon and seconded by Mr. Statz to accept the following agenda:

1. Roll call.
  2. Adoption of agenda.
  3. Approval of minutes from January 18, 2023.
  4. Public comment on non-agenda Plan Commission related items.
  5. Consideration of: Zoning map amendment petition by Robert Scaturo from C-1 to C-5 for parcel located at 11 Green Bay Road - parcel #281-64-63000105B.
    - a. Presentation
    - b. Public Hearing
    - c. Consideration/Recommendation *(Note: The Plan Commission will not make a recommendation at this meeting, unless a motion is made and passed by ¾ of the members present to act on the request at this meeting.)*
  6. Consideration of: Conditional Use application from Thomas Phillips to construct a two-family dwelling on property located on the south side of the 1600 block of Georgia Street, parcel #281-36-21130101.
    - a. Presentation
    - b. Public Hearing
    - c. Consideration/Recommendation
  7. Consideration of: Conditional Use application from Fleet Farm for construction of an approximately 92,000 square foot retail building located on the south side of Highway 42-57 (Green Bay Road) across from Grant Avenue, parcel #281-66-13000600.
    - a. Presentation
    - b. Public Hearing
    - c. Consideration/Recommendation *(Note: The Plan Commission will not make a recommendation at this meeting, unless a motion is made and passed by ¾ of the members present to act on the request at this meeting.)*
  8. Consideration of: Zoning Code Amendment relating to the minimum floor area required for an efficiency style multiple-family dwelling unit.
  9. Consideration of: Creation of tax increment district #8 for downtown redevelopment in the Third Ave/ Jefferson St area.
  10. Adjourn.
- All ayes, motion carried.

**Approval of minutes from January 18, 2023 (#3):** Motion by Mr. Norland and seconded by Ms. Reeths to approve the minutes from January 18, 2023. All ayes. Motion carried.

**Public Comment on non-agenda Plan Commission related items (#4):** No members of the public presented for comment.

**Consideration of: Zoning map amendment petition by Robert Scaturo from C-1 to C-5 for parcel located at 11 Green Bay Road - parcel #281-64-63000105B (#5):**

**Presentation (a):** Mr. Olejniczak explained that the owner is requesting a zoning map amendment to change this parcel from General Commercial (C-1) to Mixed Residential-Commercial (C-5) to make it easier

to add on to his existing single-family home at 11 Green Bay Road. Under the current C-1 zoning classification, the structure is non-conforming and Mr. Scaturo is unable to make any structural changes. This is an odd-shaped lot that backs up to a bluff. It borders higher density residential as well as commercial lots. A recommendation of C-5 would be a good transition between the R-4 and C-1 lots.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:05 p.m. Robert Scaturo of 11 Green Bay Road explained that he and his wife would like to add on to the existing home because it is very small and he is requesting the zoning change to allow for the addition. He does not have plans drawn up yet but is looking to add about 6 feet onto the dining room area. The public hearing was closed at 6:07 p.m.

**Consideration (c):** Mr. Statz motioned to act on this matter at this time. Motion seconded by Mr. Norland. All ayes, motion carried. Mr. Norland moved to recommend to council the zoning map amendment as presented to Mixed Residential-Commercial (C-5). Motion seconded by Ms. Reeths. All ayes, motion carried.

**Consideration of: Conditional Use application from Thomas Phillips to construct a two-family dwelling on property located on the south side of the 1600 block of Georgia Street, parcel #281-36-21130101 (#6):**

**Presentation (a):** Mr. Olejniczak explained this conditional use request is for a two-family dwelling in an R-2 Single-Family Residential district. All aspects of the proposal comply with the zoning code. A conditional use for a similar project was approved in 2017 for the same property but the previous owner never built on the lot. The use fits with the neighborhood. It is across the street from a Community Based Residential Facility (CBRF) and there are other 2-family dwellings to the south, with single family homes to the east. Staff recommends approval of the conditional use as presented.

**Public Hearing (b):** The public hearing was opened at 6:11 p.m. Robert Loss of 468 N. 16<sup>th</sup> Circle believes the project is a great idea as long as the driveway is paved and drainage issues have been addressed. John Brungraber of 455 N. 15<sup>th</sup> Drive questioned if this structure would be rental units or owner-occupied.

Nate of Art's Custom Homes & Construction, 2165 Deer Point Ln, De Pere, WI, contractor for the project, indicated he is not sure if the dwelling would be rented out or sold as condos, but he noted that if they would be rentals, they would be long-term leases with no pets and no smoking. They are not planning to use it for short term rentals. Public hearing was closed at 6:16 p.m.

**Consideration (c):** Mr. Olejniczak stated that the City obtained a parcel three lots to the west with the plan to use it as a storm water pond. They are working to obtain grant funding to assist with the costs. Water from the subject lot would flow to the storm water pond.

Ms. Reeths motioned to approve the conditional use as presented. Ms. Stephens seconded motion. All ayes, motion carried.

**Consideration of: Conditional Use application from Fleet Farm for construction of an approximately 92,000 square foot retail building located on the south side of Highway 42-57 (Green Bay Road) across from Grant Avenue, parcel #281-66-13000600 (#7):**

**Presentation (a):** Mr. Olejniczak explained this is a conditional use application by Fleet Farm to build an approximately 92,000 square foot retail building on the south side of Highway 42-57 at the western edge of the City. In order for the project to move forward, Fleet Farm must obtain a conditional use from the Plan Commission as well as a Certificate of Appropriateness from the Aesthetic Design & Site Plan Review Board. The Aesthetic meeting was held on Monday, February 13, and the Certificate of Appropriateness was approved, with the exception of the lighting plan, which will be resubmitted for approval by the Chair. The staff report in the agenda packet explains the rules for large retail establishments with comments from staff. An updated sign packet was provided to each of the members today. Areas of concern are the location of the outdoor seasonal greenhouse and merchandise and location of a bike rack. Staff recommends approval of the conditional use with nine conditions as listed in the staff report.

Mr. Norland questioned whether sidewalks should be installed at this time in advance of the probable requirement in the future when the developments on the north side of the highway are completed. Mayor Ward commented that there are other developments in the planning stage and there is already a partial sidewalk on the north side, however it may be premature to install sidewalks until a determination is made by the DOT on whether the Grant Avenue intersection will be controlled, since it is unlikely pedestrians will be crossing there if it is not a controlled intersection. The Traffic Impact Analysis recommends a traffic signal but the DOT makes the final decision.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:31 p.m. Jeff Peterson of CR Structures, based in Appleton, representing Fleet Farm, conducted a PowerPoint presentation touching on all aspects of the proposed building. He indicates they have worked with staff to make any requested changes and stressed that Fleet Farm wants to work closely with the City to bring an attractive and successful store to Sturgeon Bay. He pointed out that there will be an on-site store manager who works with giving back to the community and has authority to make donations and award scholarships on a local level.

Derrick Hoernke of 2401 S. Memorial Drive, Appleton, representing Fleet Farm, explained that the seasonal greenhouse will be located in the parking lot. Their seasonal merchandise displays are located under the cover of the building awnings, the bike rack and bench locations will be worked out with city staff.

Project Engineer Matt Kocourek explained that the berm (hill) along the highway will remain in place as much as possible with the driveway bisecting it. The American Transmission Company pole will remain where it is and they are required to stay at least 20 feet away from the pole. If a sidewalk is required, it would likely start at the northwest corner of the building and go directly north through the green space to the public right-of-way for the frontage road. Going through other areas of the parking lot would not allow for ADA compliance due to the slope of the lot. They do not want to install a sidewalk unless they are sure the intersection will be controlled because it encourages people to go towards an unsafe area. Any water or snow on the parking lots will go to one of two detention ponds. The rear detention pond is the larger of the two and is set up to withstand a 100 year rain event. After the water has been filtered in the detention ponds, it will then feed into the wetland areas. The public hearing was closed at 6:58 p.m.

**Consideration (c):** After discussion, Ms. Reeths motioned to approve the conditional use subject to the nine conditions recommended by staff as follows:

1. Final approval of the utilities plan by Sturgeon Bay Utilities.
2. Final approval of the stormwater management plan by the City Engineer.
3. Approval by the Community Development Department of the exterior lighting plan to confirm the height of light poles, shielded fixtures, and prevention of light spillover onto adjoining property.
4. Thirteen additional trees are needed within 10 feet of the parking areas either by shifting trees or by adding additional trees in the vicinity of the main parking area.
5. Agreement to install (or pay for installation of) a sidewalk along the south side of the frontage road from the intersection with Highway 42-57 to the main entrance into the Fleet Farm site if sidewalk is installed on Grant Avenue southerly to the highway intersection and the Grant Avenue/Highway 42-57 intersection is upgraded to either a signalized intersection or roundabout.
6. Agreement to install a sidewalk leading from the frontage road to the pedestrian facility along the front of the Fleet Farm building at the time that sidewalk is installed along the frontage road.
7. Submit a plan for outdoor display that meets the purpose and intent of the ordinance.
8. Provide outdoor seating for nine people.
9. Provide at least one bike rack.

Mr. Holey seconded motion. All ayes, motion carried.

**Consideration of: Zoning Code Amendment relating to the minimum floor area required for an efficiency style multiple-family dwelling unit (#8):** Mr. Olejniczak indicated the Council recently approved a development agreement for a proposed development known as the Muse on the corner of 3<sup>rd</sup> Avenue and Jefferson Street. The proposal calls for small, efficiency (studio) style apartments on the



second floor, many of which are smaller than the zoning code's minimum requirement of 500 square feet for a one-bedroom apartment. There is no category for efficiency (studio) apartments. Staff considered different options and determined it may be worthwhile to amend the zoning code to allow for smaller apartments. Four potential options are listed on the staff report. The staff is requesting direction on which, if any, of the options should be recommended to council.

Members discussed the options and were in support of recommending efficiency (studio) style apartments. There was discussion regarding whether the amendment to add efficiency style units should apply to all zoning districts that allow apartments or just the Central Business District (C-2). Ms. Stephens motioned to recommend to council to add a category to the minimum floor area chart under s. 20.27(2) for efficiency (studio) units with a minimum of 450 square feet in all zoning districts where they are allowed. Motion seconded by Mr. Statz. All ayes, motion carried.

**Consideration of: Creation of tax increment district #8 for downtown redevelopment in the Third Ave/Jefferson St area (#9):** Mr. Olejniczak introduced potential new Tax Increment District (TID) #8 in the area of 3<sup>rd</sup> Avenue and Jefferson Street. The city is working on implementing a development agreement with Shirley Weese Young to construct the Muse, which is a music school/venue with apartments on the second floor. The project calls for public restrooms and Ms. Weese Young is requesting financial assistance from the city to help fund the project. The development of a TID would allow the city to provide financial assistance and use property taxes that will be generated to recover costs and for other public improvements in the area. Staff is looking for initial direction on the boundaries and projects within the TID, which would likely go to public hearing in March.

Adam Ruechel of R.W. Baird presented a PowerPoint outlining the proposed parameters of the TID, including the projected timeline. A copy of the PowerPoint was provided in the agenda packet. The expenditures of the TID are projected to be paid off in about 11 years, but the life of the TID could extend out to 20 years if needed.

The members discussed possible changes to the boundaries and areas that need improvement and could benefit from the TID, including improvements to the downtown parking structure. They also discussed future developments in the area, including another project by Shirley Weese Young for the 4<sup>th</sup> and Jefferson corner. Mr. Olejniczak explained that the boundaries of the TID could be amended up to four times throughout the lifetime. Members were in support of moving forward with a new TID. No formal action was taken.

**Adjourn (#10):** Ms. Bacon motioned to adjourn, seconded by Mr. Norland. All ayes, motion carried. The meeting adjourned at 7:36 p.m.

Respectfully submitted,

  
Cindy Sommer  
Community Development  
Administrative Assistant

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## STAFF REPORT

### PLAN COMMISSION 3-15-2023

**Title: Conditional Use for a Two-Family Dwelling for Jurgita and David Kana**

**Background:** A Conditional Use Petition from Jurgita and David Kana has been submitted to the Community Development Department to convert an existing single-family dwelling into a two-family dwelling in the R-2 (high density single-family residential) zoning district located at 114 N. 7<sup>th</sup> Ave. Under section 20.10(8)(a)(4) of the zoning code, two-family dwellings are a conditional use in the R-2 zoning district. The applicant previously petitioned for a planned unit development rezoning to facilitate a four-unit multiple-family dwelling. That application was withdrawn prior to any action by the Plan Commission.

**Existing Conditions:** The subject parcel is 27,009 square feet in size (0.62 acres). It contains an approximately 3,200 square foot dwelling, detached garage, and a shed. The home is very long (about 80 feet not including porch). It previously had been used as a bed and breakfast establishment. The lot is wooded with mature pine and deciduous trees throughout most of the yard.

**Surrounding Zoning and Uses:** The surrounding area is zoned R-2. There is a Mixed Commercial-Residential (C-5) zone further north along 7th Avenue, which is part of the C-5 district used for the Jefferson Street corridor including the nearby nursing home property.

The abutting land uses are single-family dwellings. There are 5 or 6 two-family dwellings within about a 500-foot radius of the Kana dwelling and there is one 4-unit dwelling nearby, but the neighborhood is generally comprised of owner-occupied single-family homes. The subject property and surrounding area comprise the Louisiana St/Seventh Ave Historic District, which is listed on the national and state Registries of Historic Places.

**Comprehensive Plan:** The 2040 Comprehensive Plan's future land use designation for the subject property is Medium Density Residential. This future land use category is described as: *residential areas that are predominately comprised of single-family homes at a density of up to eight units per acre. Two-family dwellings and small-scale multi-family dwellings are often intermixed into these areas.* The approximately 3.2 units per acre that are proposed with the two units is well below the maximum density envisioned for this area. The proposed land use is consistent with that designation.

The Comprehensive Plan also contains some goals/policies and recommended actions pertaining to historic preservation. These include preserving and promoting the City's historic character and identity generally. Pertinent recommended actions include supporting the preservation of historic buildings and identify/pursue funding sources for historic building improvements and rehabilitations. The dwelling was considered a pivotal building within the Louisiana St/Seventh Ave Historic District at the time the district was inventoried in 1982. If the building still would be considered historic based upon its current state, the conversion to a two-family dwelling and other changes would need to be

completed in a way that doesn't destroy the historic value of the building in order to be consistent with the Comprehensive Plan.

**Layout/design:** The following is a summary of the major site and design subjects:

Density: The proposed two units equate to a density of one unit per 13,500 square feet. This density is well below the required 5,000 square feet per unit for two-family dwellings in the R-2 district.

Site Layout: The proposal is to renovate the existing dwelling, which is situated in the northeast portion of the lot. No other changes to the lot are proposed at this time.

Building Design: The existing dwelling dates to 1879 and was considered a pivotal building at the time that the Louisiana St/Seventh Ave Historic District was being proposed in 1983. It is a two-story tri-gabled home. There is a large front porch. There are two sets of stairs leading to the upper level of the home along the Kentucky Ave side of the building.

The proposal is to create one unit on the first floor and one unit on the second floor. Both units would have 2 full bathrooms.

Various changes to the exterior are proposed, particularly affecting the lower level. On the Kentucky St (north) side on the ground level a small enclosed entrance is proposed to be removed. Another exterior door on the ground level is to be relocated, while an entrance door on the upper level is to be removed. Several windows on the lower level are proposed to be eliminated or reduced in size. One window would be added.

On the 7<sup>th</sup> Ave (west) side the large first floor window facing the porch on the 7<sup>th</sup> Avenue side is being changed to a patio door.

Exterior changes on the south side include the removal on an enclosed entrance. Like the Kentucky St side enclosed entrance, it likely is not original to the building. There would be sliding doors on that side of the lower level. Another existing entrance is to be converted to a window. In addition, one window on the lower level would be removed but a double window added nearby.

Several interior walls would be removed or added for both the lower and upper levels.

The proposed floor plans for the two-family dwelling are drawn such that each unit could be easily divided again just by blocking in or locking a door.

Parking: There is an existing 2-stall garage on the site and an asphalt parking area. A minimum of four off-street stalls are required. The existing parking is sufficient to meet the minimum requirement of the zoning code.

Pedestrian Access: There is an existing sidewalk on Seventh Avenue. No sidewalk exists on Kentucky Street, which is lightly traveled.

Utilities: The site is served by municipal utilities. The water and electric meters will need to be separated, unless the owner is paying for the entire building.

Landscaping: No changes to the existing landscaping are proposed. The site already is covered with various trees.

**Other Considerations:** The subject property is large enough to divide into two lots and in fact the previous owner split the parcel before later combining it back into one lot. There are no discretionary approvals required to split the parcel and construct a second dwelling.

Although the property is within the Louisiana St/Seventh Ave Historic District, there are no restrictions pertaining to building changes. The property owner can alter the existing dwelling, subject only to the normal building permit rules and procedures. If the conditional use is approved, the Plan Commission has the ability to place conditions such as specific architectural requirements.

The dwelling has undergone significant interior and exterior changes since the historic inventory was completed in 1982. Many of the alternations occurred at the time the building was converted to a bed and breakfast establishment in the 1990's. The changes include converting a former attached garage to living space, adding a second story over the rear half of the dwelling, adding decks and exterior stairways, and converting interior space to bathrooms and bedrooms. The detached garage was constructed in 2004.

**Conditional Use Review Criteria:** Under s. 20.25(4) of the zoning code, a conditional use permit may only be issued by the plan commission upon making a finding that:

- (a) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (b) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the surrounding area.
- (c) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (d) Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided to serve the conditional use.

(e) Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets.

(f) The conditional use shall in all other respects conform to the applicable regulations of the district in which it is located.

It possibly could be argued that the potential increase in total residents could be detrimental from a noise or traffic standpoint or that the changes to the building could somehow harm the historic nature of the neighborhood. But, City staff believes that it would be difficult to quantify and find substantive evidence for those possibilities. Thus, in our opinion all necessary findings of a conditional use are met.

**Options:** The Plan Commission has the following options:

- 1) Approve the conditional use petition as presented
- 2) Approve the conditional use petition with conditions
- 3) Deny the conditional use petition

**Conclusion/Recommendation:** The number of living units under the proposal are the same as what could be accomplished under the R-2 zoning if the property is split. No additional floor area is created and the changes are within the existing building envelope. The main concern is ensuring that the project does not cause significant impacts on surrounding homes or the historic district in general. The recommendation is to approve the conditional use, as proposed, with the following conditions:

1. The existing lot shall not be subdivided or reduced in size.
2. The dwelling units shall not be leased or rented for periods of less than 7 consecutive days. If any dwelling unit is rented for periods of more than 6 but fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days. The maximum 180 days shall run consecutively within each 365-day period. The property owner shall notify the city clerk in writing when the first such rental within a 365-day period begins.
3. Any exterior lighting shall be shielded such that direct light is not cast skyward or onto adjoining property.
4. All garbage and recycling containers shall be stored inside a building or shall be screened from adjoining streets.

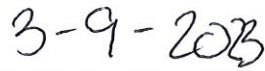
Optional conditions: If there is concern over maintaining the wooded appearance of the lot and/or if there is concern over the architectural changes to the exterior of the building, the Plan Commission could include conditions to address those or other concerns, such as:

5. Except for the tree located within the existing parking area, no trees shall be removed except for dead, dying, or diseased trees as determined by the City forester.

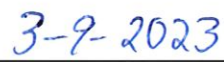
6. Except for the windows within the proposed bathroom, no windows on the Kentucky Street side of the building shall be removed, unless such removal is approved by the Plan Commission.

7. At least one of the units in the two-family dwelling must be owner-occupied.

Prepared by:   
Stephanie Servia  
Zoning and Planning Administrator

  
Date

  
Marty Olejniczak  
Community Development Director

  
Date

# CITY OF STURGEON BAY CONDITIONAL USE PERMIT APPLICATION

**STAFF USE:**

Date Received: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_

Received By: \_\_\_\_\_

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	Jurgita + David Kana	Same
Company		
Street Address	114 N. 7th Ave, Sturgeon Bay	
City/State/Zip	Sturgeon Bay, WI 54235	
Daytime Telephone #	920 216-2551 920 288-7727	
Email		

STREET ADDRESS OF SUBJECT PROPERTY: 114 N. 7th Ave, Sturgeon Bay  
 Location if not assigned a common address: \_\_\_\_\_

TAX PARCEL NUMBER: 281 6225002701 A

CURRENT ZONING CLASSIFICATION: R-2

CURRENT USE AND IMPROVEMENTS: Single-family dwelling, detached garage, shed

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF  
 SPECIFIC ITEMS BEING REQUESTED FOR REVIEW: 20.09(3) - conditional use  
 for two-family dwelling

ZONING AND USES OF ADJACEMENT SURROUNDING PROPERTIES:

North:	<u>R-2</u>	; <u>single-family dwelling</u>			
South:	<u>R-2</u>	;	"	"	"
East:	<u>R-2</u>	;	"	"	"
West:	<u>R-2</u>	;	"	"	"

PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:

North: Medium Density Residential

South: " " "

East: " " "

West: " " "

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? Yes or No No IF YES, EXPLAIN: \_\_\_\_\_

Attach an 8-1/2"x 11" detailed site plan (if site plan is larger than 8-1/2"x 11", also include 15 large sized copies), full legal description (preferably digital), 8-1/2"x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Property Owner \_\_\_\_\_

Date \_\_\_\_\_

Paul L. Clain

1-17-2023

Applicant/Agent \_\_\_\_\_

Date \_\_\_\_\_

I, \_\_\_\_\_, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

1-17-2023  
Date of review meeting

Paul L. Clain  
Applicant signature

Martin Sklar  
Staff signature

Attachments:

Procedure & Check List

Agreement for Reimbursement of Expenses

STAFF USE ONLY

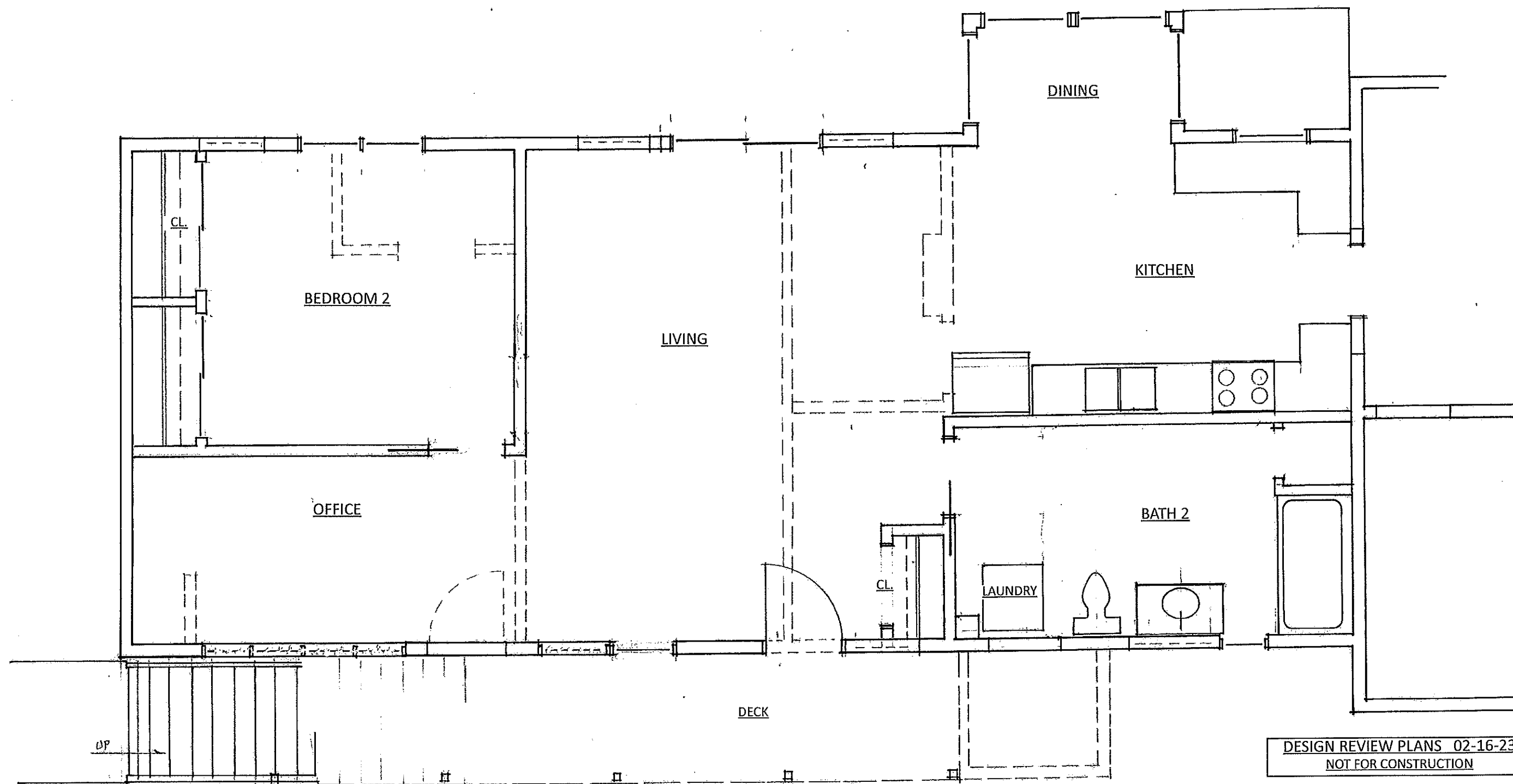
Application conditions of approval or denial:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

Community Development Director \_\_\_\_\_





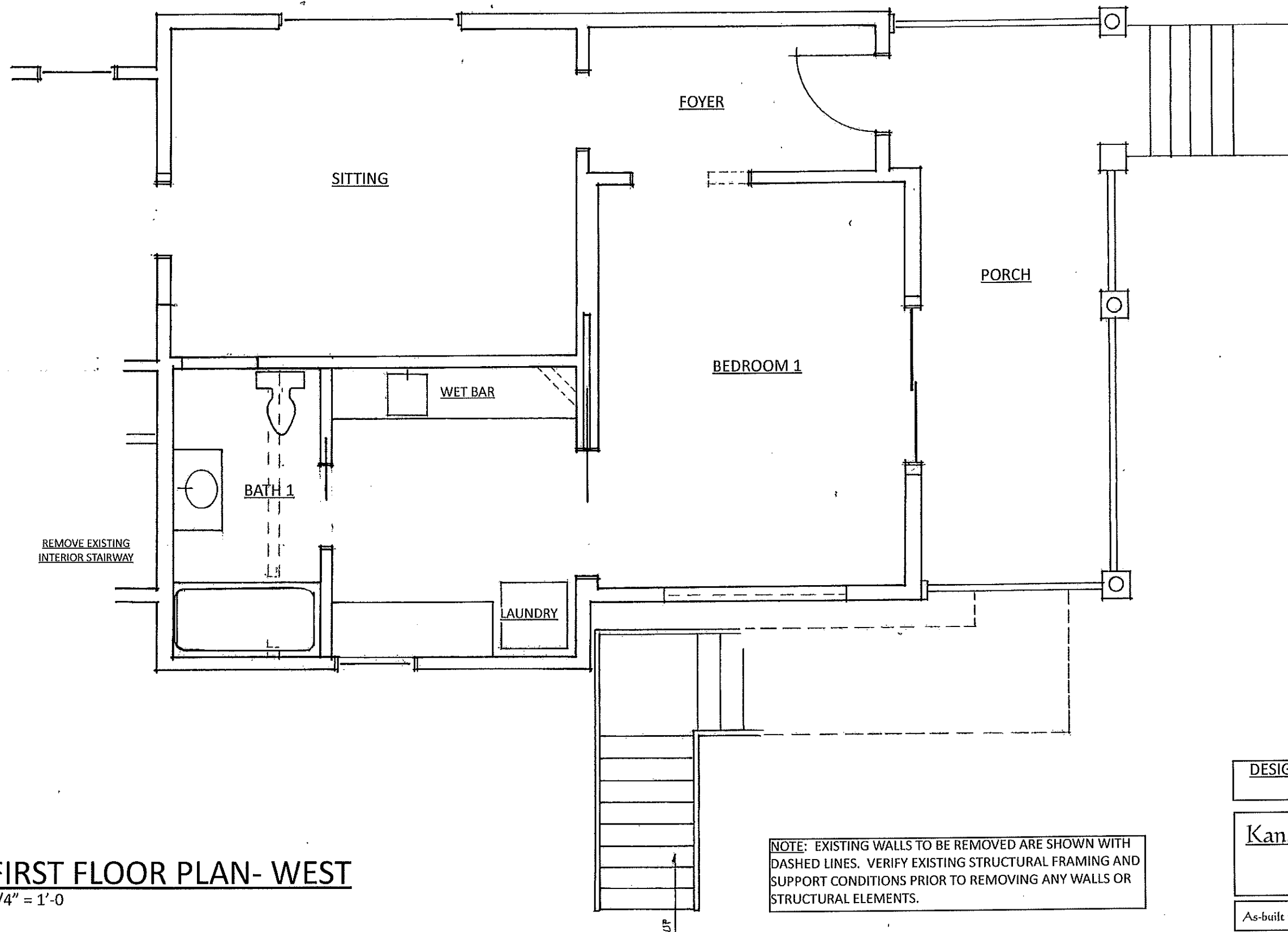
**FIRST FLOOR PLAN- EAST**  
 1/4" = 1'-0

NOTE: EXISTING WALLS TO BE REMOVED ARE SHOWN WITH DASHED LINES. VERIFY EXISTING STRUCTURAL FRAMING AND SUPPORT CONDITIONS PRIOR TO REMOVING ANY WALLS OR STRUCTURAL ELEMENTS.

DESIGN REVIEW PLANS 02-16-23  
 NOT FOR CONSTRUCTION

**Kana Residence Remodel**  
 114 N. 7th Avenue  
 Sturgeon Bay, Wisconsin

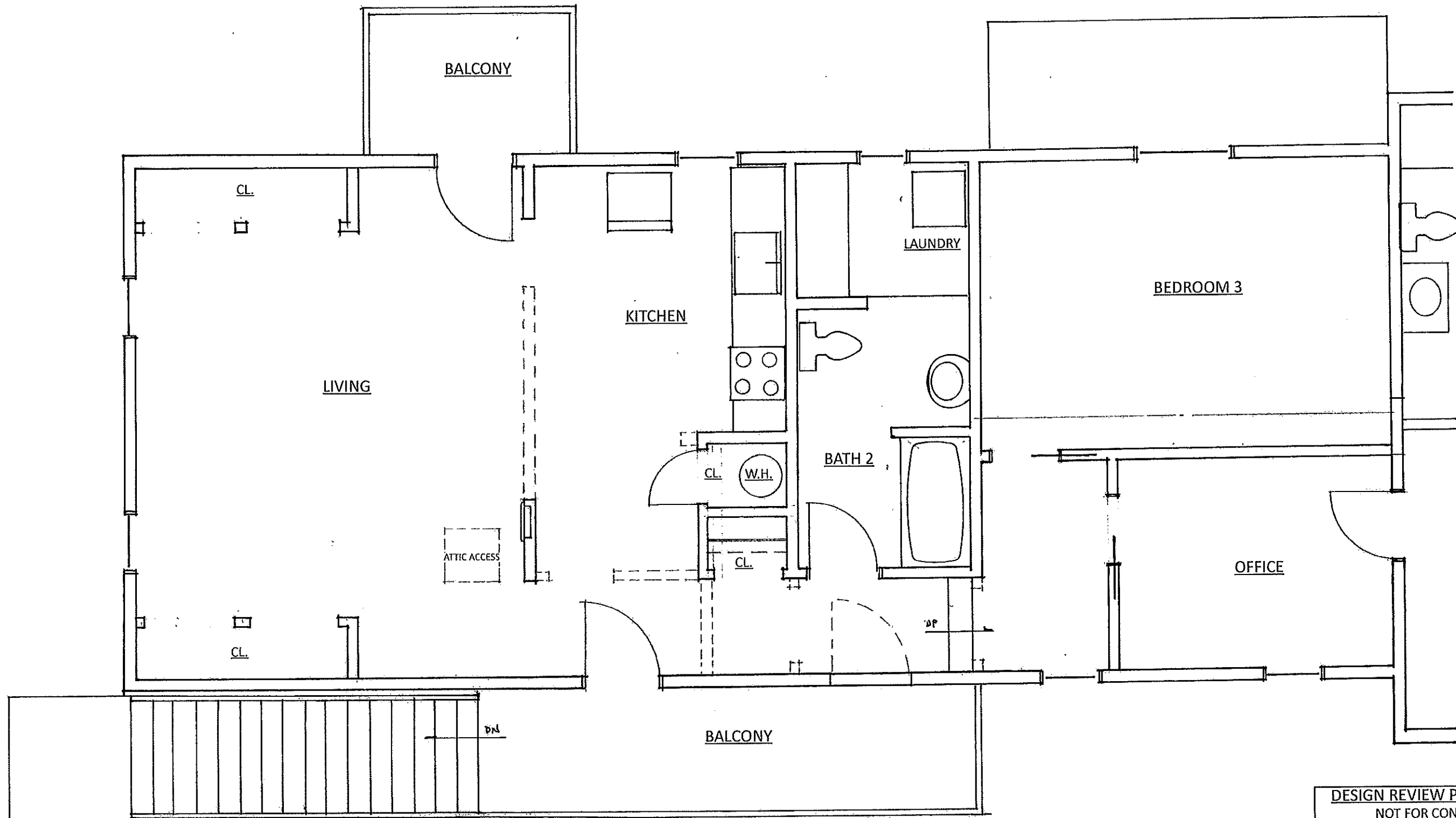
As-built plans prepared by Richard Toyne Architect



**FIRST FLOOR PLAN- WEST**  
1/4" = 1'-0

NOTE: EXISTING WALLS TO BE REMOVED ARE SHOWN WITH DASHED LINES. VERIFY EXISTING STRUCTURAL FRAMING AND SUPPORT CONDITIONS PRIOR TO REMOVING ANY WALLS OR STRUCTURAL ELEMENTS.

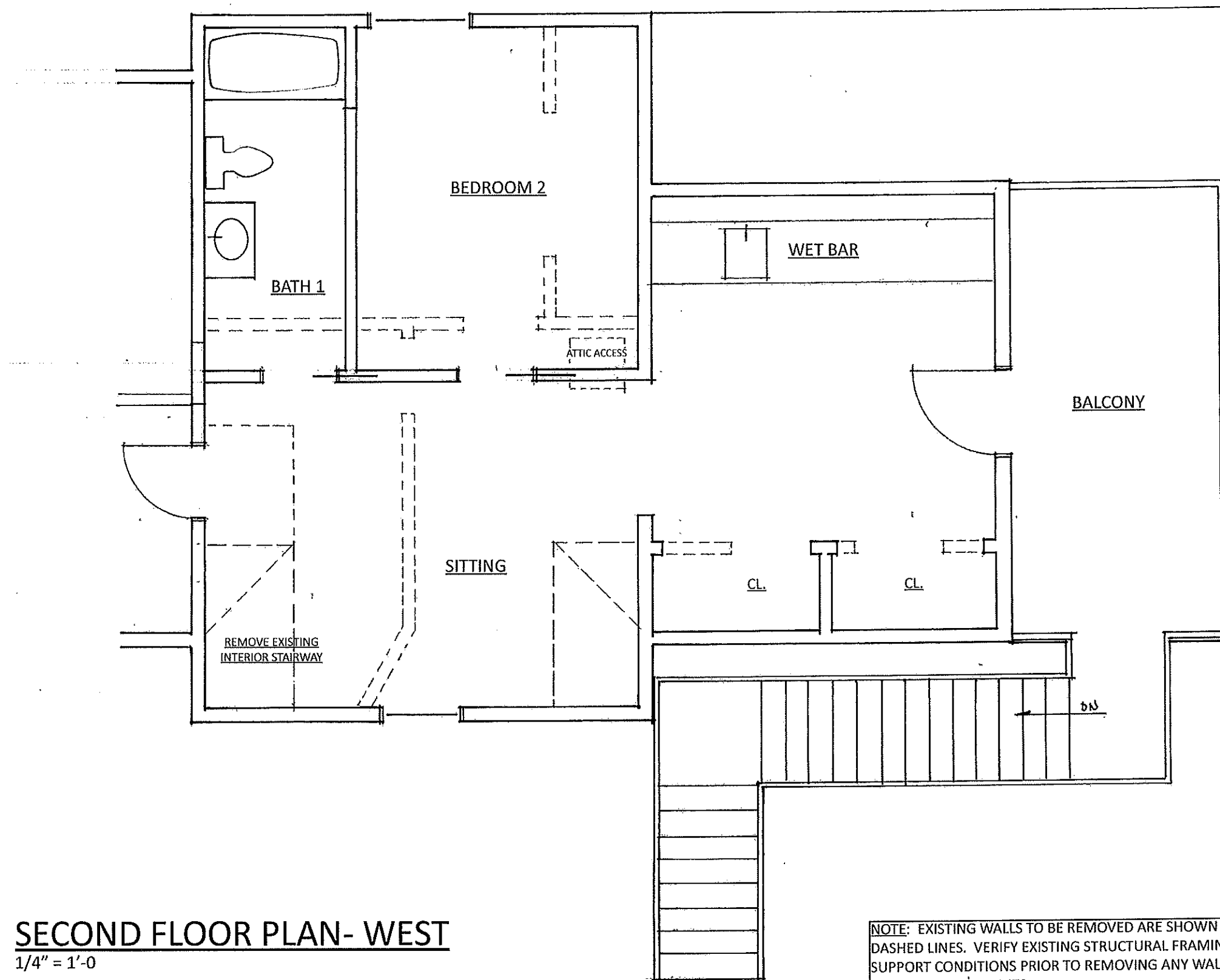
DESIGN REVIEW PLANS 02-16-23 NOT FOR CONSTRUCTION
<b>Kana Residence Remodel</b> 114 N. 7th Avenue Sturgeon Bay, Wisconsin
As-built plans prepared by Richard Toyne Architect



**SECOND FLOOR PLAN- EAST**  
 1/4" = 1'-0

NOTE: EXISTING WALLS TO BE REMOVED ARE SHOWN WITH DASHED LINES. VERIFY EXISTING STRUCTURAL FRAMING AND SUPPORT CONDITIONS PRIOR TO REMOVING ANY WALLS OR STRUCTURAL ELEMENTS.

DESIGN REVIEW PLANS 02-16-23 NOT FOR CONSTRUCTION
<b>Kana Residence Remodel</b> 114 N. 7th Avenue Sturgeon Bay, Wisconsin
As-built plans prepared by Richard Toyne Architect



**SECOND FLOOR PLAN- WEST**  
 1/4" = 1'-0

NOTE: EXISTING WALLS TO BE REMOVED ARE SHOWN WITH DASHED LINES. VERIFY EXISTING STRUCTURAL FRAMING AND SUPPORT CONDITIONS PRIOR TO REMOVING ANY WALLS OR STRUCTURAL ELEMENTS.

DESIGN REVIEW PLANS 02-16-23  
 NOT FOR CONSTRUCTION

**Kana Residence Remodel**  
 114 N. 7th Avenue  
 Sturgeon Bay, Wisconsin

As-built plans prepared by Richard Toyne Architect

## **NOTICE OF PUBLIC HEARING**

The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, March 15, 2023 at 6:00 p.m. or shortly thereafter, regarding a petition from Jurgita and David Kana for approval of a conditional use under section 20.09(3) of the Sturgeon Bay Municipal Code, which requires conditional use approval for two-family dwellings on a lot in the R-2 district. The subject property is located at 114 N. 7<sup>th</sup> Avenue (parcel #281-62-25002701A). The proposal is to convert the existing single-family dwelling into a two-family dwelling. The application materials are on file with the Community Development Department, located at 421 Michigan Street, and can be viewed weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in regard to the proposed conditional use request, either in person at the hearing or in writing.

By order of:

City of Sturgeon Bay Plan Commission

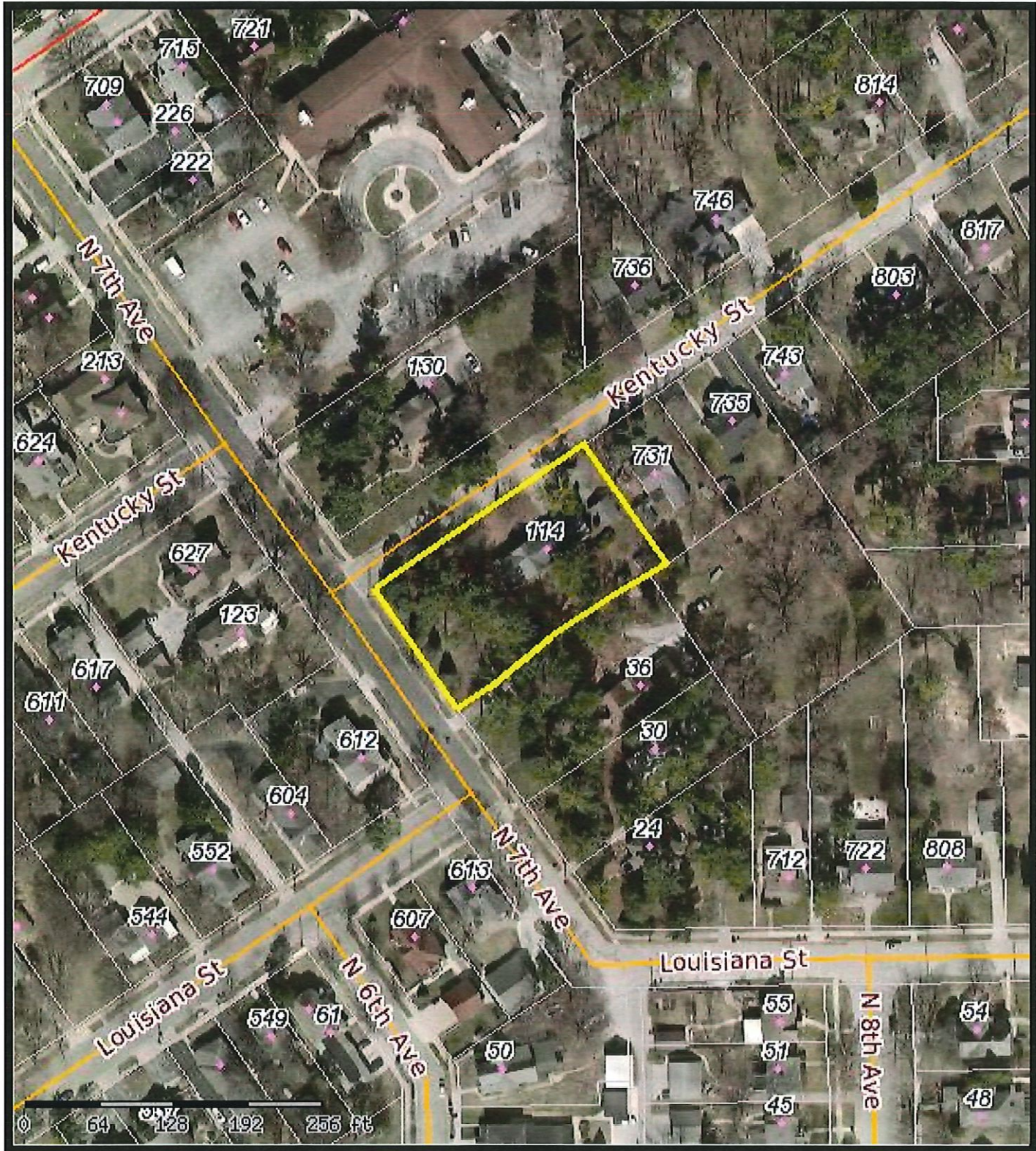


# Map

Printed 03/09/2023 courtesy of Door County Land Information Office



... from the Web Map of ...  
( <http://www.co.door.wi.gov> )  
**Door County, Wisconsin**  
... for all seasons!



Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.



Map Code 15-35



*Architectural Statement Continued:*

*that effected the Craftsman style windows. An extension of the house to the rear may be earlier than the main mass. This building is an excellent and well maintained example of what appears to be a quite early vernacular style house with early 20th century remodeling in the Craftsman/Colonial style. This is the oldest building within the District. It is located on a large, wooded lot.*











## EXECUTIVE SUMMARY

**Title:** Tax Increment District #8

**Background:** Shirley Weese Young is proposing to redevelop the vacant corner of N. Third Ave and Jefferson Street with a mixed-use building, including a music school/performing arts center on the ground floor with residential efficiency (studio) style apartments above. There also would be public restrooms as part of the project. The Common Council recently approved a development agreement with Ms. Young for the project, including some financial incentive to be covered through a proposed tax increment district (TID). Within a TID the property taxes generated from new development within the district (the tax increment) is used to cover the public costs necessary to spur the new development, such as infrastructure improvements or financial incentives.

The proposed tax increment district will be TID #8. To create this TID, the boundaries of the district need to be set and a project plan for the district needs to be drafted. A public hearing regarding the boundaries and project plan is held. Following that, the Plan Commission, the Common Council, and the Joint Review Board must consecutively approve resolutions to establish the TID. The 5-member Joint Review Board is comprised of a member from each of the four taxing jurisdictions plus one at large public member.

The City hired its financial consultant, R. W. Baird, to assist with the project plan and creation of the TID. The revised draft of the project plan is included in the packet for review by the Plan Commission. TID #8 is being established as a mixed-use TID, which provides a 20-year timeframe to complete the projects and recover the expenditures. The revised financial proforma prepared by Baird shows that the TID's expenses would be recovered in the 14<sup>th</sup> year of the TID.

In addition to the aforementioned Muse project, there are other planned expenditures listed in the project plan in and around the TID boundaries. The listed expenditures are not required to occur. The City could scale back projects, if needed, to ensure the financial strength of the TID. Notably, the project plan does not include any specific development or expenditures relating to the property located at the northwest corner of Fourth Ave/Jefferson St. That site is also owned by Ms. Young and it was included with the proposed TID #8 in anticipation of a redevelopment project occurring in the near future. But since there is no specific redevelopment proposal at this time, if a development requiring tax increment financing assistance is proposed, it would likely require a project plan amendment at a later date. Under Wisconsin TIF rules, there is no limit to the number of times a project plan can be amended, but the boundaries of the TID can only be amended up to four times.

**Recommendation:** Approval of the Plan Commission resolution approving the boundaries and project plan for TID #8.

Prepared by: Martin Olejniczak  
Martin Olejniczak, Community Development Director

3-9-2023  
Date

Reviewed by: Valerie J. Clarizio  
Valerie Clarizio, Finance Director

3/9/23  
Date

Reviewed by: Josh Van Lieshout  
Josh Van Lieshout, City Administrator

3/9/23  
Date

## **PLANNING COMMISSION RESOLUTION #2023-01**

Resolution Formally Adopting Proposed Project Plan and Boundaries for Tax  
Incremental District No. 8

### **RECOMMENDED ADOPTION OF THE PROJECT PLAN AND BOUNDARIES FOR TAX INCREMENTAL DISTRICT NO. 8 CITY OF STURGEON BAY, WISCONSIN**

**WHEREAS**, pursuant to Wisconsin Statutes §66.1105 the City of Sturgeon Bay has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the city; and

**WHEREAS**, Tax Incremental District No. 8 (“the district”) is proposed to be created as a “mixed-use district” where not less than fifty percent (50%) by area, of the real property within the district is suitable for industrial, commercial, residential development, and

**WHEREAS**, a Project Plan for Tax Incremental District No. 8 has had been prepared that includes the following:

1. A statement listing the kind, number, and location of proposed public works or improvements within the district.
2. An economic feasibility study.
3. A detailed list of estimated projects costs.
4. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred.
5. A map showing existing uses and conditions of real property in the district.
6. A map showing proposed improvements and uses in the district.
7. Proposed changes of zoning ordinance, master plan, map, building codes, and City Ordinances.
8. A statement of the proposed method for relocation of any person to be displaced.
9. A statement indicating how creation of the district promotes the orderly development of the city.
10. A list of estimated non-projects costs.
11. An Opinion of the City Attorney advising that the plan is complete and complies with Wis. Statute §66.1105(4)(f); and

**WHEREAS**, prior to its publication, a copy of the notice of the public hearing by the Plan Commission was sent to the City of Sturgeon Bay, Door County, the Sturgeon Bay School District, and Northeast Wisconsin Area Technical College which constitutes all the local governmental entities having the power to levy taxes on property located within the proposed District; and

**WHEREAS**, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on March 15, 2023, held a public hearing concerning the project plan and boundaries and proposed creation of the district providing interested parties a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries of the district.

**PLANNING COMMISSION RESOLUTION #2023-01**

Resolution Formally Adopting Proposed Project Plan and Boundaries for Tax  
Incremental District No. 8

**NOW THEREFORE, BE IT RESOLVED** by the Plan Commission of the City  
of Sturgeon Bay that:

1. It recommends to the Common Council that Tax Incremental District No. 8, City of Sturgeon Bay, be created with boundaries as designated by Exhibit A, which is attached and incorporated herein by reference.
2. It approves the Project Plan as prepared by Robert W. Baird & Co, dated March 15, 2023, which is incorporated herein in its entirety by reference, and recommends its approval to the Common Council.
3. Creation of the District promotes orderly development in the city; and
4. That the City Clerk is hereby directed to provide the Common Council with a certified copy of this Resolution upon its adoption by the Plan Commission.

Adopted this 15th day of March 2023

**City of Sturgeon Bay**

By \_\_\_\_\_  
David J. Ward Ph. D., Plan Commission Chairman

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted by the Planning  
Commission of the City of Sturgeon Bay on the 15th day of March 2023.

\_\_\_\_\_  
Stephanie L. Reinhardt,  
City of Sturgeon Bay  
City Clerk

**Project Plan & District Boundary**  
**Tax Incremental District No. 8**  
**in the**  
**CITY OF STURGEON BAY, WISCONSIN**



**March 15, 2023**

(Approved Actions)

Organizational Joint Review Board Meeting Held	March 9, 2023
Public Hearing Held	March 15, 2023
Adopted by Planning Commission	March 15, 2023
Adopted by City Council	April 4, 2023
Adopted by Joint Review Board	April 13, 2023

Prepared in part by:



Robert W. Baird & Co.  
Public Finance  
777 E. Wisconsin Ave.  
Milwaukee, WI 53202  
800.792.2473



**City of Sturgeon Bay  
TID #8 Project Plan & District Boundary**

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## **Section 1: City of Sturgeon Bay Officials**

### **City Council**

David J. Ward Ph. D	Mayor
Helen L. Bacon	Aldersperson District 1
Dennis Statz	Aldersperson District 2
Dan Williams	Aldersperson District 3
J. Spencer Gustafson	Aldersperson District 4
Gary Nault	Aldersperson District 5
Seth Wiederanders	Aldersperson District 6
Kirsten Reeths	Aldersperson District 7

### **City Staff**

Josh Van Lieshout	City Administrator
Stephanie L. Reinhardt	City Clerk/Human Resources Director
Valerie J. Clarizio	Finance Director/City Treasurer
Martin J. Olejniczak	Community Development Director

### **Planning Commission**

David J. Ward Ph. D, Chairperson	Helen L. Bacon
Kirsten Reeths	Mark Holey
Jeff Norland	Dennis Statz
Amy Stephens	

### **Joint Review Board**

Josh Van Lieshout	City Representative
Ken Pabich	Door County
Daniel Mincheff	Northeast Wisconsin Area Technical College
Mike Stephani	Sturgeon Bay School District
Bill Chaudoir	Public Member



## **Section 2: Introduction and Description of District**

The city plans to use Tax Incremental Financing ("TIF") as a successful economic development programming tool by providing public improvements and development incentives to encourage and promote residential and commercial development. The goal is to increase the tax base, to create and enhance economic opportunities, and to increase housing options within the city. The city works with developers and property owners to provide infrastructure improvements and incentives for development. Public infrastructure and property improvements will be financed by a combination of TIF increments and debt financing.

The Tax Increment District ("TID") is being created as a "Mixed-Use District" based on the identification and classification of the property proposed to be included in the TID. The maximum life (absent extension) of the TID is 20 years from the date of adoption.

Tax incremental financing is being proposed for 1.14 acres encompassing three parcels located at 321 Jefferson Street, 330 Jefferson Street, and 368 Jefferson Street. The sites are within the city limits. A developer is proposing to develop 330 Jefferson Street with a 6,809 square foot first floor venue for music performances and lessons. The first floor will also have a 1,200 square foot patio space facing the corner of Third Avenue and Jefferson Street. In addition, a 475 square foot extension will house public restrooms, accessible from the outside of the building. The 6,809 square foot second floor of the facility will house eleven studio apartment rentals. The city has agreed to provide \$900,000 in the form of developer-financed tax incremental financing. The developer will need financial incentives to assist with the high construction costs of the project. A second phase of development is proposed for the adjoining parcel at 368 Jefferson Street, which may also require tax increment financing incentives.

Tax Incremental financing is also being proposed for the property at 321 Jefferson Street. Facade improvements and renovation of the existing building are planned to facilitate re-use of this existing vacant retail building. The proposed and potential new developments will generate additional property taxes (tax increment) that will be used to offset the cost of the public investments resulting from, or needed by, the new developments. Planned or potential development projects are detailed in the Statement of Kind, Number and Location of Proposed Projects section of this project plan.

The city anticipates various public improvement project cost expenditures of approximately \$1,115,000 plus financing/interest costs during the TID's 15-year expenditure period. Proposed public project improvements may include



**City of Sturgeon Bay**  
**TID #8 Project Plan & District Boundary**

but are not limited to developer incentives in the form of cash grants or TID loans, professional and organizational services, administrative costs, and finance costs.

As a result of the creation of this TID, the city projects a preliminary and conservative cash flow analysis indicating \$1,921,677 in increments. The TID increment will primarily be used to pay the debt service costs of the TID, and project development incentives. The increment will also be used for restroom improvements as well as street/sidewalk improvements, parking improvements, and building façade improvements within the vicinity of the district. The city projects land and improvement values (incremental value) of approximately \$4,200,000 will be created in the TID by the end of 2025. This additional value will be a result of the improvements made and projects undertaken within the TID. If the project generates less in value than anticipated, any shortfall in paying of the loan incentive is borne by the developer.

Maps depicting the boundaries and existing uses and conditions of the TID are found in the respective mapping sections of this project plan.

### **Section 3: Summary of Findings**

As required by s.66.1105 Wis. Stats., and as documented in this Project Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this TID, the development projected as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the city. In making this determination, the city has considered the following information:
  - Development within the TID has not occurred at the pace anticipated by the city. Infrastructure and other development related expenses are not likely to be borne exclusively by private developers; therefore, the city has concluded that public investment will be required to fully achieve the city’s objectives for this area.
  - To achieve its objectives, the city has determined that it must take an active role in encouraging development by making appropriate public expenditures in the area. Without the availability of tax increment financing, these expenditures are unlikely to be made. Enhancement of this area will complement existing venues in the city, and benefit not only the city, but all overlapping taxing jurisdictions. Accordingly, the costs to implement the needed

**City of Sturgeon Bay**  
**TID #8 Project Plan & District Boundary**

projects and programs are appropriately funded through tax increment financing.

- To make the area included within the TID suitable for development, the city will need to make a substantial investment to pay costs of some or all the projects listed in the project plan and to maintain a rent structure that does not exceed the upper end of market levels. Due to the public investment that is required, the city has determined that development of the area will not occur at the pace or levels desired solely as a result of private investment.
2. The economic benefits of the Tax Incremental District, as measured by increased property values, are sufficient to compensate for the cost of the improvements. In making this determination, the city has considered the following information:

As demonstrated in the Economic Feasibility Section of this Project Plan, the tax increments projected to be collected and the debt issuance will be more than sufficient to pay for the proposed project costs. On this basis alone, the finding is supported.

3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.

Since the development expected to occur is unlikely to take place without the use of Tax Incremental Financing (see Finding #1) and since the TID will generate economic benefits that are more than sufficient to compensate for the cost of the improvements (see Finding #2), the city reasonably concludes that the overall benefits of the TID outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the TID is not created.

4. The improvements to be made within the TID are likely to significantly enhance the value of substantially all other real property in the city surrounding the TID.
5. The equalized value of taxable property of the TID does not exceed 12% of the total equalized value of taxable property within the city.
6. The Project Plan for the TID is feasible and is in conformity with the master plan of the city.

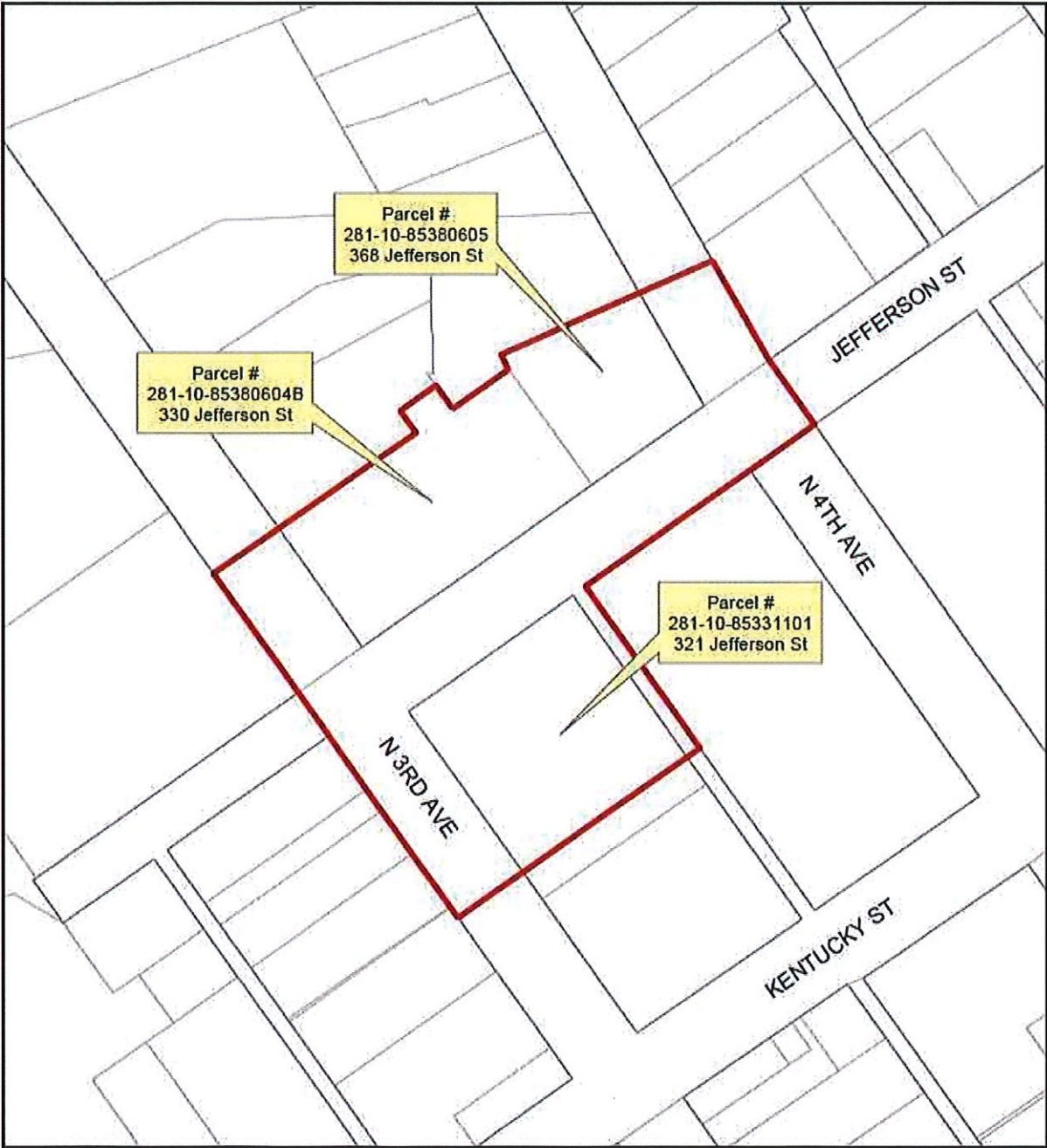
**City of Sturgeon Bay**  
**TID #8 Project Plan & District Boundary**

7. The city estimates that 50% of the territory within the district will be devoted to retail business at the end of the district's maximum expenditure period, pursuant to Wisconsin Statutes Sections 66.1105(5)(b).
8. The city confirms less than 35 percent of the district is land proposed for newly platted residential development. Residential housing density is at least three units per acre.
9. The TID is being created as a Mixed-Use District. This project plan has met the definition and requirements for a Mixed-Use District. Not less than 50% of the proposed district's area land is suitable for industrial, commercial, and residential use.

Section 4: Map of Proposed District Boundary

The current Map is reflective of the 01/01/2023 parcel list.

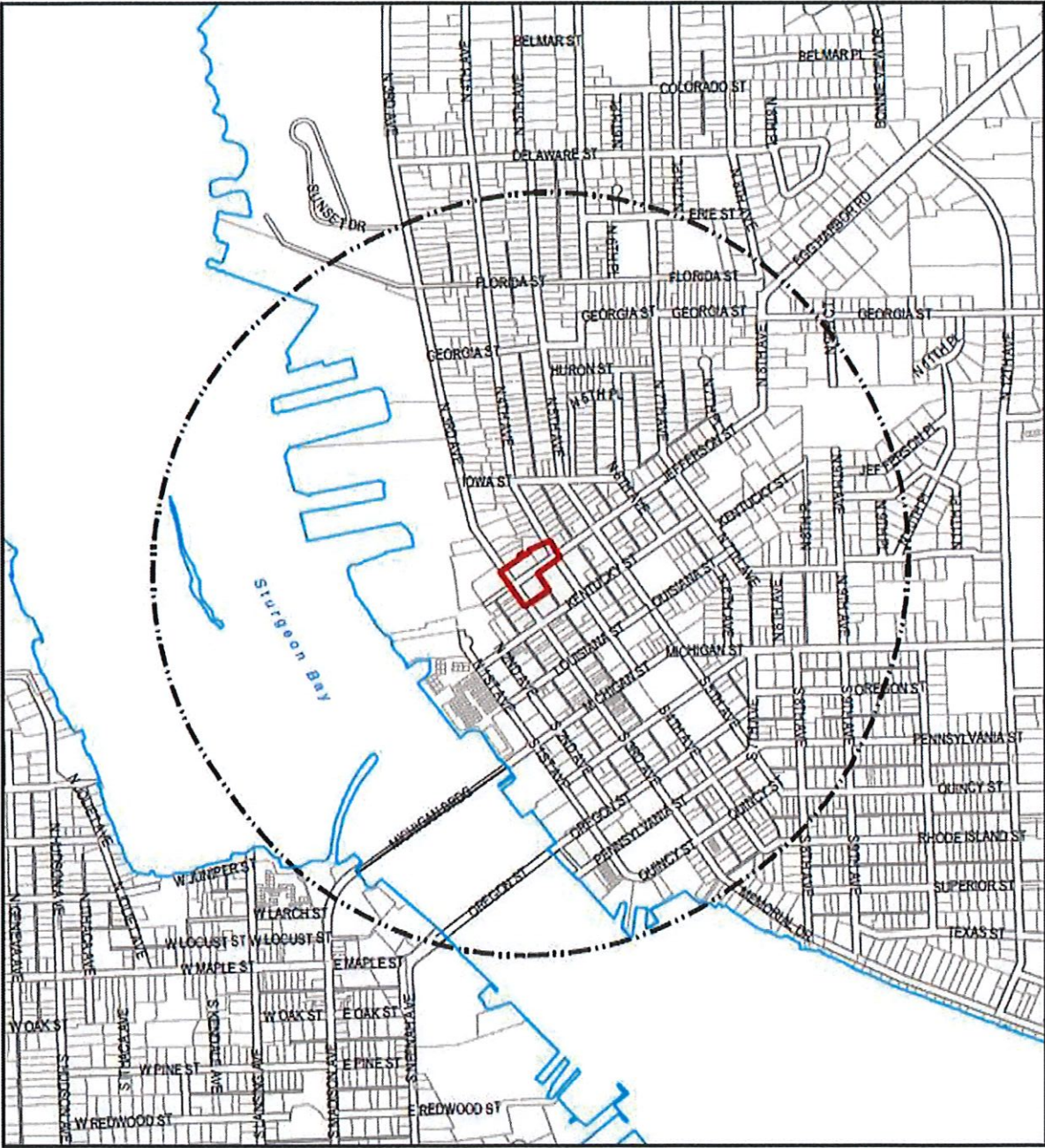
Tax Increment District #8



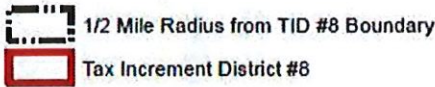


Section 5: One Half Mile Radius Map of Proposed District Boundary

Tax Increment District #8  
1/2 Mile Radius from Boundary



Map Date February 22, 2023



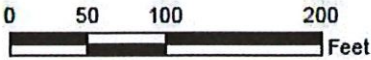


Section 6: Map Showing Existing Uses and Conditions

Tax Increment District #8  
Existing Conditions



Map Date February 22, 2023



 District Boundary



## **Section 7: Preliminary Parcels List and Analysis**

As of the 01/01/2023 parcels list.

ID	Address	Parcel #	Valuation
1	321 Jefferson	2811085331101	\$ 793,500
2	330 Jefferson	2811085380604B	\$ 76,700
3	368 Jefferson	2811085380605	\$ 241,500
<b>Total Valuation</b>			<b><u>\$ 1,111,700</u></b>

## **Section 8: Equalized Valuation Test**

The following calculations demonstrate that the city is in compliance with s.66.1105(4) (gm)4. c. Wis. Stats., which requires that the equalized value of the taxable property in the proposed TID, plus the value increment of any existing Tax Incremental Districts, does not exceed 12% of the total equalized value of taxable property within the city. With TID #8, the value increment of all existing Tax Increment Districts will be approximately 10.24%.

### **Valuation Test Compliance Calculation**

2022 Equalized Valuation (TID IN)	\$ 1,224,724,100
Limit for 12% Test	\$ 146,966,892
Increment Value of Existing TIDs	\$ 124,285,600
Projected Base Value of New TID	<u>\$ 1,111,700</u>
Total Value Subject to Test	\$ 125,397,300

Compliance ( $\$125,397,300 < \$146,966,892$ ) Meets Requirement

## **Section 9: Statement of Kind, Number and Location of Proposed Projects**

The city expects to implement the following public project improvements. Any costs including eligible administrative costs necessary or convenient to the creation of the district or directly or indirectly related to the public works and other projects are considered "project costs" and eligible to be paid with tax increment revenues of the TID.



**City of Sturgeon Bay**  
**TID #8 Project Plan & District Boundary**

1. DEVELOPER INCENTIVE

LOCATION: 330 Jefferson St.

TOTAL: \$775,000

DESCRIPTION: The Developer plans to develop a 6,809 square foot venue for music performances and lessons. The first floor will also have a 1,200 square foot patio space facing the corner of Third Avenue and Jefferson Street. The 6,809 square foot second floor of the facility will house eleven studio apartment rentals.

2. PUBLIC RESTROOMS

LOCATION: 330 Jefferson St.

TOTAL: \$125,000

DESCRIPTION: Development includes the creation of three public restrooms accessible outside the building at the end of the commercial section of Third Avenue where there are no public restrooms. Estimated size is 475 square feet.

3. STREET/SIDEWALK IMPROVEMENTS

LOCATION: Jefferson St. from 3<sup>rd</sup> Avenue to 7<sup>th</sup> Place.

TOTAL: \$25,000

DESCRIPTION: Jefferson Street intersection improvements including crosswalk repairs along with spot repairs of the streets and sidewalks in the vicinity.

4. PARKING IMPROVEMENTS

LOCATION: 117 N. Second Ave/122 N. First Ave

TOTAL: \$150,000

DESCRIPTION: Maintenance and repairs to the public parking structure bounded by 1<sup>st</sup> Ave, Kentucky St, 2<sup>nd</sup> Ave, and Louisiana St.

**City of Sturgeon Bay**  
**TID #8 Project Plan & District Boundary**

**5. FACADE IMPROVEMENTS**

LOCATION: 321 Jefferson Street

TOTAL: \$50,000

DESCRIPTION: Financial Incentive to developer for façade improvements at 321 Jefferson Street. The façade improvements would be accompanied by interior building renovation of approximately \$500,000 by developer to facilitate reuse of the building for retail and other commercial purposes.

**6. ADMINISTRATIVE / ORGANIZATIONAL FEES**

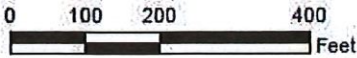
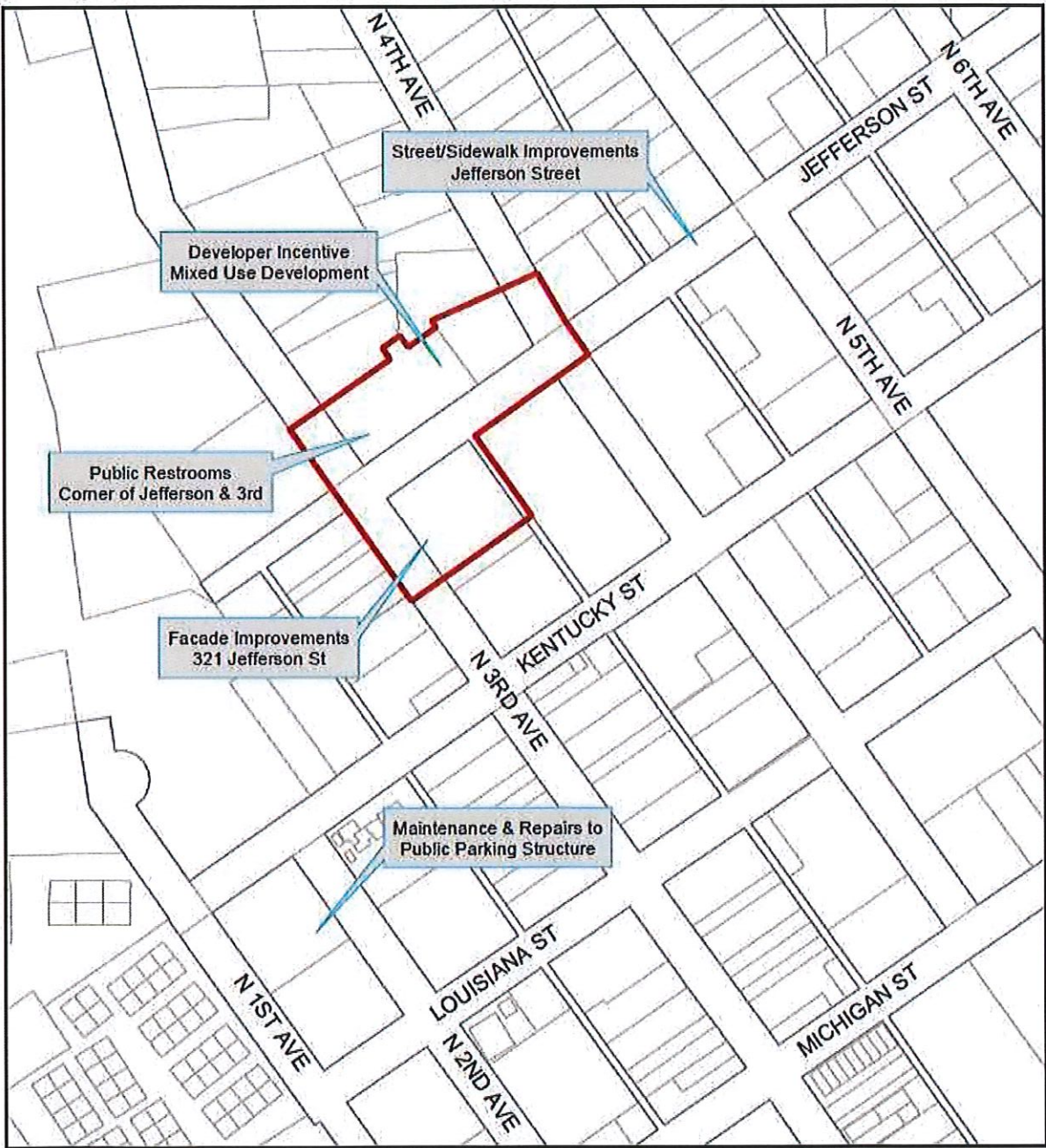
LOCATION: Entire TID

TOTAL: \$30,000

DESCRIPTION: Annual TID and city staff administration fees and professional fees for creation and organization, including legal fees.

Section 10: Maps Showing Proposed Improvements and Uses

Tax Increment District #8  
Proposed Projects



 District Boundary



## Section 11: Detailed List of Project Costs

1. DEVELOPER INCENTIVE	\$775,000
2. PUBLIC RESTROOMS	\$125,000
3. STREET/SIDEWALKS IMPROVEMENTS	\$25,000
4. PARKING IMPROVEMENTS	\$150,000
5. FACADE IMPROVEMENTS	\$50,000
6. ADMINSTRATIVE / ORGANIZATIONAL FEES	\$30,000
<b>ESTIMATED TOTAL</b>	<b>\$1,155,000</b>

The project cost is based on current prices and preliminary estimates. The city reserves the right to increase this cost to reflect inflationary increases and other uncontrollable circumstances between the creation of the TID and the time of construction. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

This Plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on the best information available. The city retains the right to delete or pursue future projects listed in the prior paragraph, and shown on the map, or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without amending the Plan.

The Plan authorizes the expenditure of funds for project costs within a 1/2-mile radius of the TID boundary.



## **Section 12: Economic Feasibility**

The information and exhibits contained within this project plan demonstrate that the proposed TID is economically feasible insofar as:

- The city has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan. A listing of "Method of Financing and Timing of When Costs are to be Incurred" follows.
- The development anticipated to occur because of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects. This Plan identifies the following: 1) the development expected to occur, 2) a projection of tax increments to be collected resulting from that development and other economic growth within the TID, and 3) a cash flow model demonstrating that the projected tax increment collections and all other revenues available such as debt issuance will be sufficient to pay all Project Costs.

To evaluate the economic feasibility of TID #8 it is necessary to project the amount of tax revenue that can be reasonably generated over the legal life of the TID. Included in Exhibit A is a proforma analysis of TID #8. The proforma analyzes expenses based on project plan costs of TID #8 against projected TID revenue. Tax revenue is conservatively estimated. Cash received from future TID #8 tax increments will be used to fund project costs and implementation of this Plan will also require that the city issue a developer grant/loan to provide direct or indirect financing for the Projects to be undertaken. In 2043, the final year of revenue collection for the TID, it is projected to have repaid all expenditures and is left with a positive surplus balance.

## **Section 13: Method of Financing and Timing of When Costs are to be Incurred.**

The city plans to fund project costs with cash received from future TID #8 tax increments and to issue a developer grant/loan to provide direct or indirect financing for the Projects to be undertaken. The following is a list of the types of obligations the city may choose to utilize.

### General Obligation (G.O.) Bonds or Notes

The city may issue G.O. Bonds or Notes to finance the cost of Projects included within this Plan. Wisconsin Statutes limit the principal amount of G.O. and State Trust Fund Loan debt that a community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (including increment values).

**City of Sturgeon Bay**  
**TID #8 Project Plan & District Boundary**

Board of Commissioners of Public Lands State Trust Fund Loans

The city may issue State Trust Fund Loans to finance the cost of Projects included within this Plan. Wisconsin Statutes limit the principal amount of State Trust Fund Loan and GO debt that a community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (including increment values).

Bonds Issued to Developers ("Pay as You Go" Financing)

The city may issue a bond to one or more developers who provide financing for projects included in this Plan. Repayment of the amounts due to the developer under the bonds are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the district, the city's obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds issued to developers in this fashion are not general obligations of the city and therefore do not count against the city's borrowing capacity.

Federal/State Loan and Grant Programs

The State and Federal governments often sponsor grant and loan programs that municipalities may potentially use to supplement TID expenditures or provide financing for capital costs which positively impact the district. These programs include Wisconsin Community Development Block Grants, Rural Development Administration Community Facility Loan/Grants, Transportation Economic Assistance Grants, and Economic Development Administration Grants. These programs require local match funding to ensure State and Federal participation in the project.

The actual amount of debt issuance will be determined by the city at its convenience and as dictated by the nature of the projects as they are implemented.

Plan Implementation

Projects identified will provide the necessary anticipated governmental services to the area, and appropriate inducements to encourage development of the area. The city anticipates making total project expenditures of approximately \$1,155,000 plus financing/interest costs to undertake the projects listed in this Project Plan. The Expenditure Period of this District is 15 years from the date of adoption of the Creation Resolution by the Common Council. The projects to be undertaken pursuant to this Project Plan are expected to be financed primarily with tax increments. The city reserves the right to alter the implementation of this Plan to accomplish this objective. Interest rates projected are based on current market conditions. Municipal

interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.

**If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.**

### **Section 14: Annexed Property**

There are no lands proposed for inclusion within the TID that were annexed by the city on or after January 1, 2004.

### **Section 15: Proposed Changes in Zoning Ordinances**

The city intends to implement a zoning code amendment adding a category to the minimum floor area chart under s. 20.27(2) for efficiency (studio) units with a minimum of 450 square feet. This change would allow efficiency (studio) style units to be 450 square feet in all zoning districts where they are allowed.

### **Section 16: Proposed Changes in Master Plan, Map, Building Codes, and Town Ordinances**

The city does not anticipate that the TID will require any changes in the master plan, map, building codes, and city ordinances to implement this project plan. The proposed development and uses are consistent with the adopted Sturgeon Bay Comprehensive Plan.

### **Section 17: Relocation**

The city does not anticipate the need to relocate persons or businesses in conjunction with this Plan. In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable state statutes as required in Wisconsin Statutes Chapter 32.



## **Section 18: Orderly Development of the City**

The creation of the TID will enable the city to undertake projects in furtherance of the stated objectives of its Comprehensive Plan and other planning documents. To this extent, the creation of the TID promotes the orderly development of the city.

## **Section 19: A List of Estimated Non-Project Costs**

Non-Project costs are public works projects that only partly benefit the TID or are not eligible to be paid with tax increment, or costs not eligible to be paid with Tax Incremental Financing funds. The city does not anticipate any non-project costs for the TID.

## **Section 20: City Attorney Opinion**

Exhibit B contains a signed opinion from the city attorney advising whether the project plan amendment is complete and complies with Section 66.1105(4)(f) of the Wisconsin Statutes.





SECTION 21: EXHIBIT A CASH FLOW PROFORMA ANALYSIS

**City of Sturgeon Bay**  
**Tax Increment District No. 8**  
Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID	1.00%
2021 Gross Tax Rate (per \$1000 Equalized Value)	\$22.77
Annual Adjustment to tax rate	0.00%
Investment rate	0.50%
Data above dashed line are actual	

Developer Incentive - Criteria	
New Construction	\$4,200,000
TIF Assistance	\$1,155,000
Does TIF Cash Flow	YES
City Increment Required	NO

Background Data					Revenues			Expenditures			TID Status			Year
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	
TIF District	Inflation	Construction	TIF Increment	Tax	Tax	Investment	Total	Payment to	Project	Combined	Annual	Year End	Cost Recovery	
Valuation	Increment	Increment	Over Base	Rate	Revenue	Proceeds	Revenues	Developer	Costs	Expenditures	Balance	Cumulative		
(January 1)								(1)				(December 31)		
Base Value														
\$1,111,700														
2023	\$1,111,700	\$0	\$0	\$22.77	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	2023
2024	\$1,111,700	\$11,117	\$4,200,000	\$22.77	\$0	\$0	\$0	\$0	\$63,750	\$63,750	(\$63,750)	(\$63,750)	(\$63,750)	2024
2025	\$5,312,617	\$53,228	\$4,264,345	\$22.77	\$0	\$0	\$0	\$0	\$63,750	\$63,750	(\$63,750)	(\$127,500)	(\$127,500)	2025
2026	\$5,376,045	\$53,760	\$4,318,106	\$22.77	\$95,887	\$0	\$95,887	\$60,000	\$63,750	\$123,750	(\$27,863)	(\$155,363)	(\$155,363)	2026
2027	\$5,429,806	\$54,290	\$4,372,404	\$22.77	\$97,099	\$0	\$97,099	\$60,000	\$63,750	\$123,750	(\$26,651)	(\$182,014)	(\$182,014)	2027
2028	\$5,484,104	\$54,841	\$4,427,245	\$22.77	\$98,323	\$0	\$98,323	\$60,000	\$60,000	\$60,000	\$38,323	(\$143,690)	(\$143,690)	2028
2029	\$5,538,943	\$55,389	\$4,482,634	\$22.77	\$99,560	\$0	\$99,560	\$60,000	\$60,000	\$60,000	\$39,560	(\$104,131)	(\$104,131)	2029
2030	\$5,594,334	\$55,943	\$4,538,578	\$22.77	\$100,808	\$0	\$100,808	\$60,000	\$60,000	\$60,000	\$40,808	(\$63,322)	(\$63,322)	2030
2031	\$5,650,278	\$56,503	\$4,595,080	\$22.77	\$102,070	\$0	\$102,070	\$60,000	\$60,000	\$60,000	\$42,070	(\$21,253)	(\$21,253)	2031
2032	\$5,706,780	\$57,069	\$4,652,148	\$22.77	\$103,343	\$0	\$103,343	\$60,000	\$60,000	\$60,000	\$43,343	\$22,091	\$22,091	2032
2033	\$5,763,848	\$57,638	\$4,709,787	\$22.77	\$104,630	\$110	\$104,740	\$60,000	\$60,000	\$60,000	\$44,740	\$66,831	\$66,831	2033
2034	\$5,821,487	\$58,215	\$4,768,001	\$22.77	\$105,929	\$334	\$106,264	\$60,000	\$60,000	\$60,000	\$46,264	\$113,095	\$113,095	2034
2035	\$5,879,701	\$58,797	\$4,826,790	\$22.77	\$107,242	\$565	\$107,807	\$60,000	\$60,000	\$60,000	\$47,807	\$160,902	\$160,902	2035
2036	\$5,938,493	\$59,385	\$4,886,183	\$22.77	\$108,567	\$805	\$109,372	\$60,000	\$60,000	\$60,000	\$49,372	\$210,274	\$210,274	2036
2037	\$5,997,883	\$59,979	\$4,946,162	\$22.77	\$109,906	\$1,051	\$110,958	\$60,000	\$60,000	\$60,000	\$50,958	\$261,231	\$261,231	2037
2038	\$6,057,662	\$60,579	\$5,006,741	\$22.77	\$111,258	\$1,306	\$112,565	\$60,000	\$60,000	\$60,000	\$52,565	\$313,796	\$313,796	2038
2039	\$6,118,441	\$61,184	\$5,067,925	\$22.77	\$112,624	\$1,569	\$114,193	\$60,000	\$60,000	\$60,000	\$54,193	\$367,989	\$367,989	2039
2040	\$6,179,623	\$61,796	\$5,129,722	\$22.77	\$114,003	\$1,840	\$115,843	\$60,000	\$60,000	\$60,000	\$55,843	\$423,832	\$423,832	2040
2041	\$6,241,422	\$62,414	\$5,192,136	\$22.77	\$115,397	\$2,119	\$117,516				\$117,516	\$541,349	\$541,349	2041
2042	\$6,303,836	\$63,038	\$5,255,174	\$22.77	\$116,804	\$2,707	\$119,511				\$119,511	\$660,859	\$660,859	2042
2043	\$6,366,874	\$63,669	\$5,318,843	\$22.77	\$118,225	\$3,304	\$121,529				\$121,529	\$782,388	\$782,388	2043
	\$1,118,843	\$4,200,000			\$1,921,677	\$15,711	\$1,937,388	\$900,000	\$255,000	\$1,155,000				

Type of TID: Mixed-Use  
2023 TID Inception  
2038 Final Year to Incur TIF Related Costs  
2043 Maximum Legal Life of TID (20 Years)

(1) Per City estimates.

## SECTION 22: ESTIMATED TAX INCREMENTS BY TAXING ENTITY

City of Sturgeon Bay - TID # 8					
Calculation of the Growth of Estimated Tax Increments by Taxing Entity					
Revenue	Projected Increment	County	City	School District	Technical College
2023	\$ -	\$ -	\$ -	\$ -	\$ -
2024	\$ -	\$ -	\$ -	\$ -	\$ -
2025	\$ -	\$ -	\$ -	\$ -	\$ -
2026	\$ 95,887	\$ 15,893	\$ 36,439	\$ 40,159	\$ 3,397
2027	\$ 97,099	\$ 16,094	\$ 36,899	\$ 40,666	\$ 3,440
2028	\$ 98,323	\$ 16,297	\$ 37,364	\$ 41,179	\$ 3,483
2029	\$ 99,560	\$ 16,502	\$ 37,834	\$ 41,697	\$ 3,527
2030	\$ 100,808	\$ 16,709	\$ 38,309	\$ 42,220	\$ 3,571
2031	\$ 102,070	\$ 16,918	\$ 38,788	\$ 42,748	\$ 3,616
2032	\$ 103,343	\$ 17,129	\$ 39,272	\$ 43,281	\$ 3,661
2033	\$ 104,630	\$ 17,342	\$ 39,761	\$ 43,820	\$ 3,706
2034	\$ 105,929	\$ 17,558	\$ 40,255	\$ 44,364	\$ 3,752
2035	\$ 107,242	\$ 17,775	\$ 40,754	\$ 44,914	\$ 3,799
2036	\$ 108,567	\$ 17,995	\$ 41,257	\$ 45,469	\$ 3,846
2037	\$ 109,906	\$ 18,217	\$ 41,766	\$ 46,030	\$ 3,893
2038	\$ 111,258	\$ 18,441	\$ 42,280	\$ 46,596	\$ 3,941
2039	\$ 112,624	\$ 18,667	\$ 42,799	\$ 47,168	\$ 3,990
2040	\$ 114,003	\$ 18,896	\$ 43,323	\$ 47,746	\$ 4,038
2041	\$ 115,397	\$ 19,127	\$ 43,853	\$ 48,329	\$ 4,088
2042	\$ 116,804	\$ 19,360	\$ 44,387	\$ 48,919	\$ 4,138
2043	\$ 118,225	\$ 19,596	\$ 44,927	\$ 49,514	\$ 4,188
TOTALS	\$ 1,921,677	\$ 318,514	\$ 730,270	\$ 804,820	\$ 68,073

## **SECTION 22: EXHIBIT B CITY ATTORNEY OPINION**

**INSERT ATTORNEY OPINION**

## **SECTION 23: EXHIBIT C TID # 8 BOUNDARY LEGAL DESCRIPTION**

A tract of land located in the SE ¼ of the SE ¼, Government Lot 4, Section 6, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin, within Block 33 and Block 38 of the Assessor's Map of the City of Sturgeon Bay and described as follows.

Tract 2 of Certified Survey #436 recorded as Document #530517 in Volume 2 of Certified Survey Maps, Page 294, Lot 2 of Certified Survey #3484 recorded as Document #846754, and Lot 1 of Certified Survey #1655 recorded as Document #649807 in Volume 10 of Certified Survey Maps, Page 72.

## **SECTION 24: DISCLAIMER TEXT**

Robert W. Baird & Co. Incorporated is providing this information to you for discussion purposes. The materials do not contemplate or relate to a future issuance of municipal securities. Baird is not recommending that you take any action, and this information is not intended to be regarded as "advice" within the meaning of Section 15B of the Securities Exchange Act of 1934 or the rules thereunder.



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## Staff Report for the Muse Street Yards

### 330 Jefferson Street: Parcel #2811085380604B

**Background:** The property owner Shirley Weese Young intends to build the "Muse" at the corner of Third and Jefferson. The first floor of the proposed building will serve as an event center and a music school while the second floor will serve as efficiency (studio) apartments. The parcel is located in the Central Business (C-2) zoning district. The minimum yards (setbacks) for a building in the C-2 district are 15 feet at the street, 5 feet on the sides, and 25 feet at the rear. However, the zoning code under 20.27(3)(c) gives the Plan Commission the ability to authorize lesser street and side yards. The intent is to provide relief from the yard requirement in locations where a traditional downtown character is desired.

Shirley Weese Young is requesting a one-foot street yard for Jefferson Street and a five-foot street yard for N. Third Ave. The five-foot street yard for Third Ave is only for the public restroom portion of the building. The main portion of the building is 30 feet from Third Ave.

Staff believes the layout and proposed setback is appropriate for this area. The central business district areas are comprised of compact and mixed developments that have smaller lots with minimal setback requirements. The proposed street yards are not out of character with the surrounding area. Most of the buildings along Third Ave are about 5 feet from the right-of-way, including the neighboring buildings at 316 and 325 N. Third Ave. For the Jefferson Street side, the two closest building on that side of the street have streets yards of about 4.5 for the Bellin Health building and 0 feet for the building at 4<sup>th</sup>/Jefferson.

the Plan Commission approved a lesser street right-of-way setback for several other downtown redevelopment projects, including the Cellcom building USCG building, Hole 'N' One Convenience Store expansion, and May's Sport Center building expansion.

**Recommendation:** Approve the reduced street yard setbacks as requested.

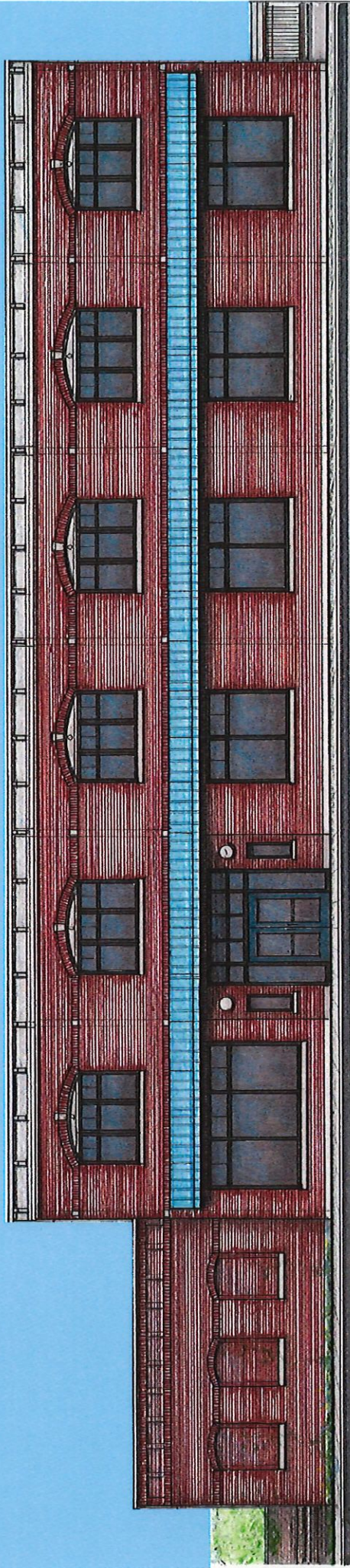
Prepared By:   
Stephanie Servia  
Planner / Zoning Administrator

3-9-23  
Date

Reviewed By:   
Martin Olejniczak  
Community Development Director

3-9-23  
Date





## SOUTH ELEVATION

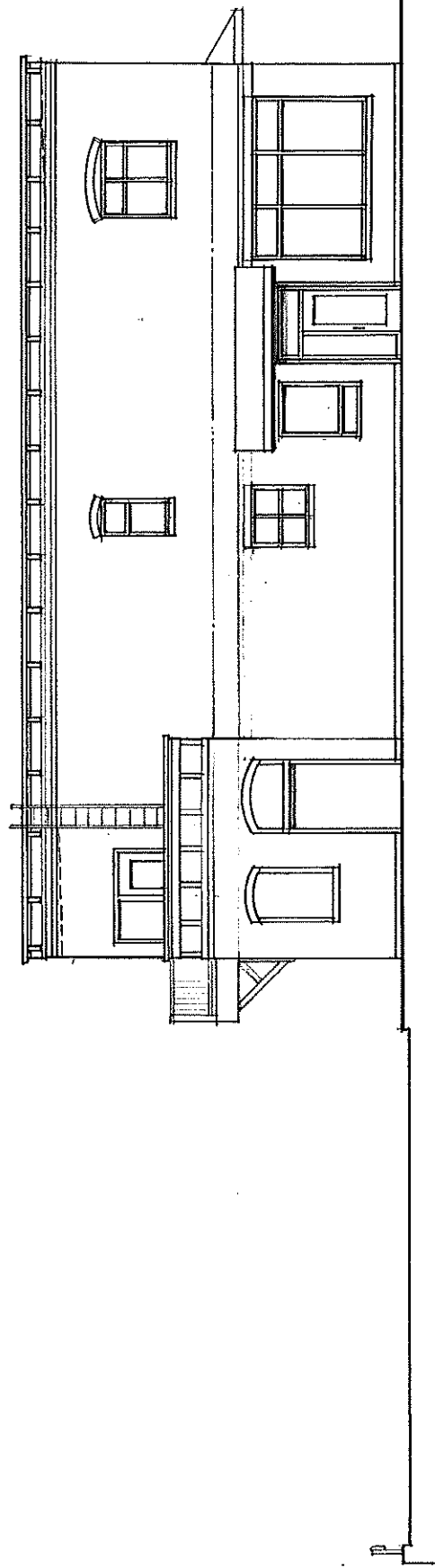
JEFFERSON STREET

1/8" = 1'-0"

06-14-22

**Richard Tovne Architect**  
Sturgeon Bay, WI 920-746-7568  
richardtovnearchitect.com

**Music School**  
Third and Jefferson  
Sturgeon Bay, Wisconsin



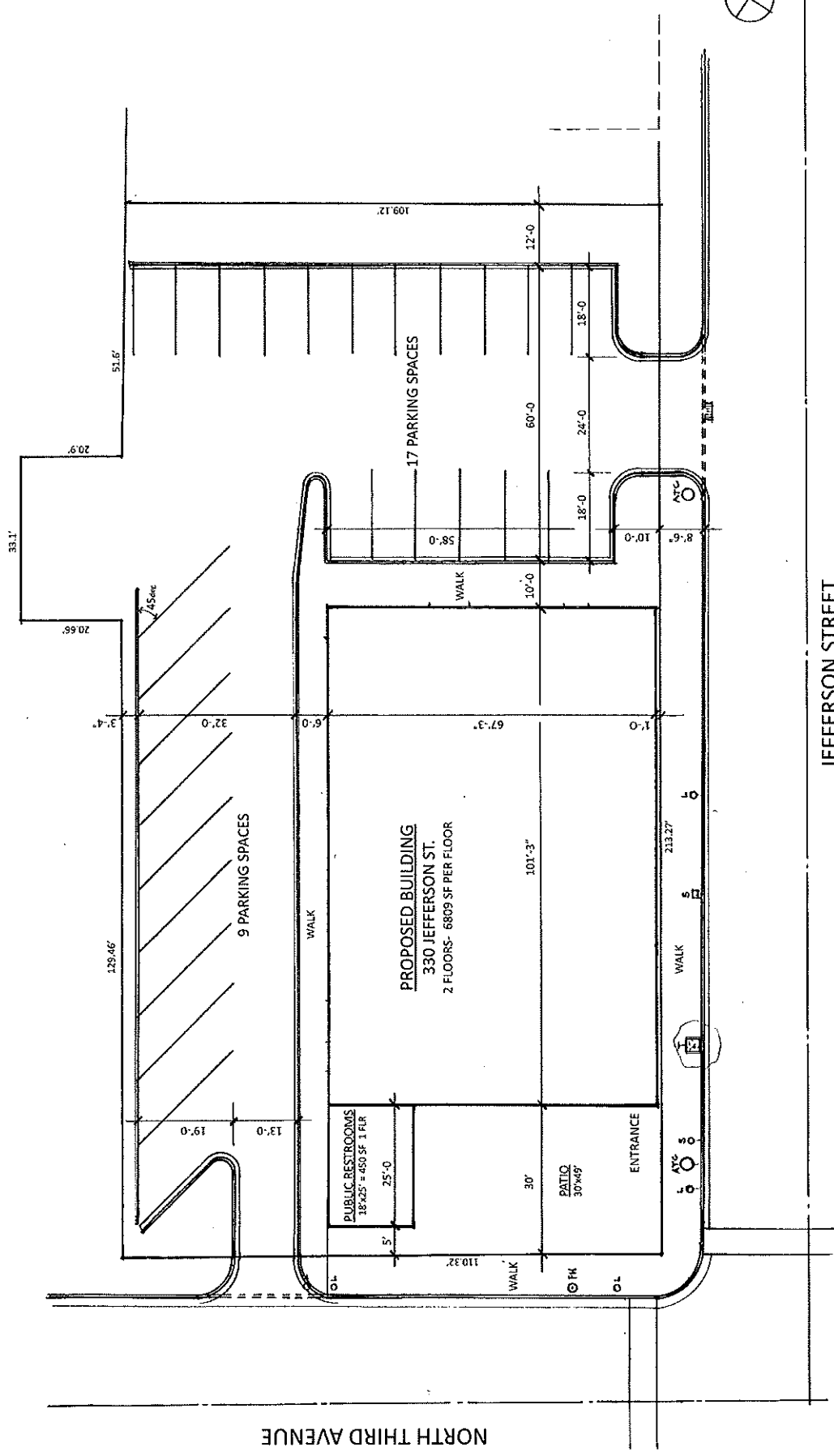
**WEST ELEVATION**  
1/8" = 1'-0"

06-21-22

**Richard Towne Architect**  
Sturgeon Bay, WI 920-746-7568  
richardtownearchitect.com

**Music School**  
Third and Jefferson  
Sturgeon Bay, Wisconsin





JEFFERSON STREET

# **SITE PLAN** 1" = 20'-0" 02-22-23

<p><b>MUSE</b> 330 Jefferson Street Sturgeon Bay, Wisconsin</p>	<p><b>Richard Toyne Architect</b> Sturgeon Bay, WI 920-746-7568 richardtoynearchitect.com</p>
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## Map

Printed 03/09/2023 courtesy of Door County Land Information Office



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## Door County, Wisconsin

**... for all seasons!**



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## MEMO

**To:** Sturgeon Bay Plan Commission  
**From:** Stephanie Servia, Planner/Zoning Administrator  
**Date:** March 9, 2023  
**Subject:** Initial Presentation – Zoning Map Amendment – C-1 to R-4 #2817033001113D

Rachel Garaventa requests the rezoning of parcel #2817033001113D which is the property to the northwest of the intersection of Alabama Street and 18<sup>th</sup> Avenue from General Commercial (C-1) to Multiple-Family Residential (R-4). The property is 0.33 acres in size. Ms. Garaventa and her son wish to build a single-family home on the property with potential to add an accessory dwelling unit on the property in the future as well as keep the possibility for commercial uses open.

In terms of surrounding zoning classifications, properties to the west of the subject property are zoned Multiple-family Residential (R-4). To the north is the Pine Crest Assisted Living Apartments, which are zoned Planned Unit Development/ General Commercial (PUD/ C-1). To the east are General Commercial (C-1) properties such as the Sturgeon Bay Cinema and Pick n Save. To the south is zoned Agricultural (A).

The 2040 Comprehensive Plan's Future Land Use Designation for the lot is Planned Neighborhood. This category is: "intended to provide a variety of housing choices and a mix of non-residential uses... overall, the composition and pattern of development should promote neighborhoods that instill a sense of community with their design."

Rezoning the property to R-4 gives Ms. Garaventa the opportunity to construct a single-family dwelling on the property while keeping the ability to have limited commercial uses (e.g. office, medical clinic) there in the future via conditional use. This aligns with the comprehensive plan and with Ms. Garaventa's future plans for the property.

The first step for a rezoning request is the initial presentation and review by the Plan Commission. This is meant to be an informal discussion and no decisions are required. If everyone is comfortable with the application, a public hearing would be scheduled for the April Plan Commission meeting.



# CITY OF STURGEON BAY ZONING/REZONING APPLICATION

STAFF USE:  
Date Received: 3-9-23  
Fee Paid: \$ 450  
Received By: Cathy & Stephanie

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	<u>Rachel M. Garaventa</u>	
Company		
Street Address	<u>4948 Horse Shoe Bend CSC 80917</u>	
City/State/Zip	<u>1421 Georgia St Sturgeon Bay, WI 54235</u>	<u>son Nicholas Prechel</u>
Daytime Telephone #	<u>(719) 355-5646 - Rachel</u>	
Email	<u>(719) 394-5642 - son Nicholas</u>	
	<u>rachel.garaventa@gmail.com</u>	
STREET ADDRESS OF SUBJECT PROPERTY: <u>.33 acre lot located on Alabama St</u> Location if not assigned a common address: <u>- and 18th Avenue</u>		
TAX PARCEL NUMBER: <u>281 7033001113D</u>		
CURRENT ZONING CLASSIFICATION: <u>commercial C-1</u>		
CURRENT USE AND IMPROVEMENTS: _____		
ZONING DISTRICT REQUESTED: <u>Residential-Commercial (C-5)</u> <u>NOTE: (Surrounding areas are Residential) R-4</u>		
COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: _____		
PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN: North: _____ South: _____ East: _____ West: _____		

**ZONING AND USES OF SURROUNDING PROPERTIES:**

North: \_\_\_\_\_  
South: \_\_\_\_\_  
East: \_\_\_\_\_  
West: \_\_\_\_\_

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? Yes or No IF YES, EXPLAIN: \_\_\_\_\_  
\_\_\_\_\_

Attach an 8-1/2"x 11" detailed site plan (if site plan is larger than 8-1/2"x 11", also include 15 large sized copies), full legal description (preferably digital), 8-1/2"x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Date

Rachel M. Garaventa  
Applicant/Agent

3/9/23  
Date

I, Rachel M. Garaventa have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

3-9-23  
Date of review meeting.

Rachel M. Garaventa  
Applicant signature

[Signature]  
Staff signature

**Attachments:**

Procedure & Check List

Agreement for Reimbursement of Expenses

**STAFF USE ONLY**

Application conditions of approval or denial:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Community Development Director

# ASPEN

2 BED, LOFT, 2 BATH

1,856 SQ. FT.



TYPICAL INVESTMENT:

**\$275,000 - \$350,000**

## MODEL HOME HIGHLIGHTS

Cedar Exterior, 9' Patio Doors, Trapezoid Windows, Exterior Fireplace Chase, Shed Dormer, Knotty Pine Ceilings, Fireplace w/Stone Surround, Hickory Cabinets, Knotty Pine Interior Doors, Rustic Stair Railing, Cathedral Ceiling in Great Room, Double Hung Windows, Knotty Pine Base and Casing, Kitchen Appliance Allowance, Flooring Allowance

[WWW.BAYAREAHOME.COM](http://WWW.BAYAREAHOME.COM)

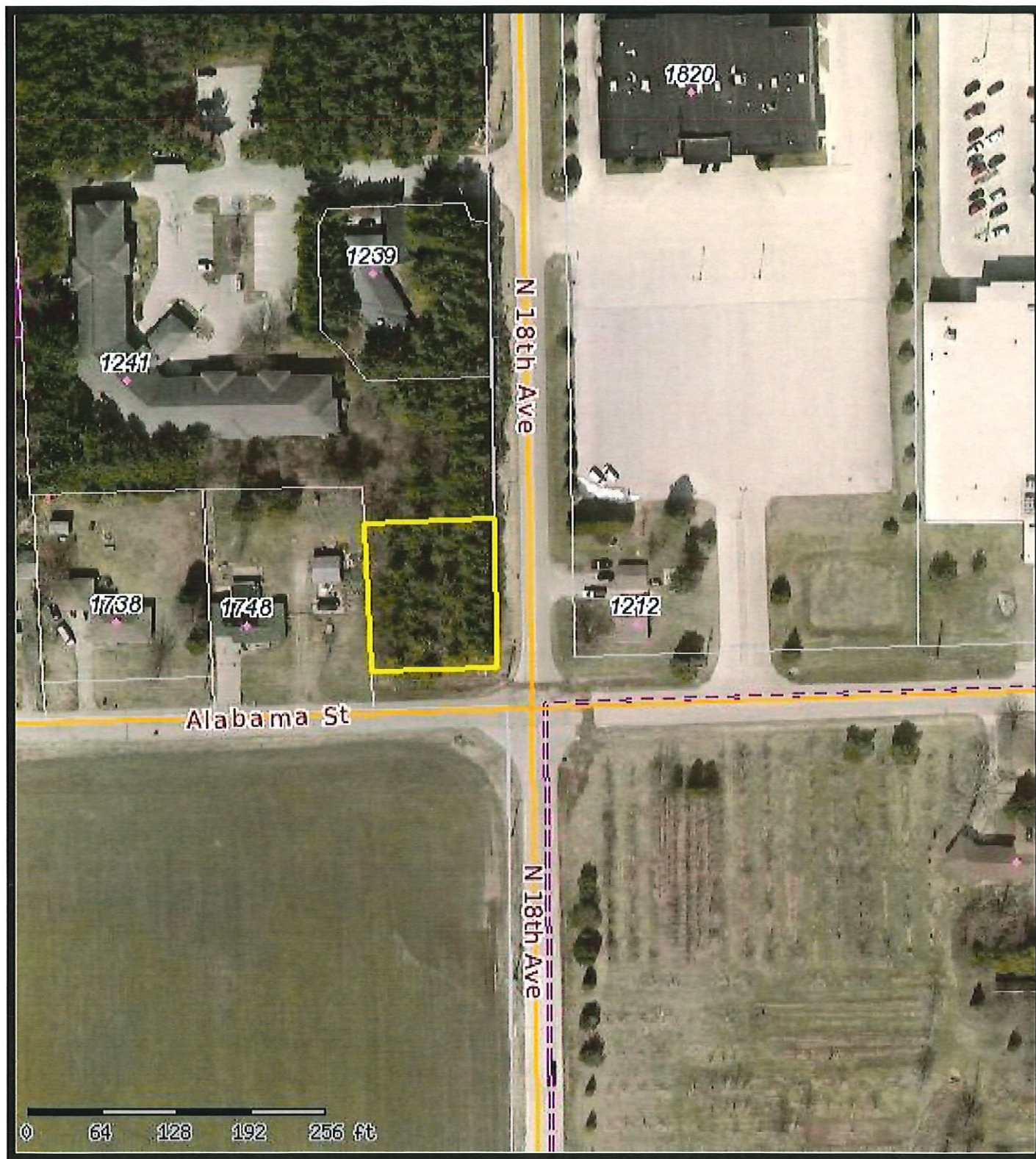


# Map

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