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City of Ashland, Wisconsin
601 Main Street West Ashland, WI 54806 www.coawi.org

PLAN COMMISSION MEETING AGENDA

April 25th, 2023 at 6:30PM at the City Hall Council Chamber and via Go To Meetings

The meeting can be joined in person or by using a computer, smartphone or tablet at <https://meet.goto.com/286404381>. The meeting can also be joined by phone at 1 866 899 4679 using Access Code: 286-404-381

AGENDA

1. Call to Order and Roll Call
2. Approval of the Agenda
3. Consent Agenda
 - a. Approval of minutes from the December 20th, 2022 Plan Commission meeting
4. Public Comment (non-agenda items)
5. Action Items:
 - a. Public Hearing and vote on a request for a Conditional Use Permit (CUP) for expansion of a clinic use at 619 9th Ave W, parcel #201-04374-0000, zoned Single & Two Family Residential (R-2). Applicant: Savita Jones o/b/o the Ashland Birth Center
 - b. Public Hearing and vote on a request for a Conditional Use Permit (CUP) to institute a multi-family dwelling use at 208 3rd Ave W, parcel #201-01650-0100, zoned City Center (CC). Applicant: S.H. Warren LLC.
6. Announcement/Reports/Comments/Questions
7. Adjournment

It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice. The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities. NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact the Planning & Zoning Dept. at (715) 682-7041.



City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Tuesday, December 20th, 2022 at 6:30 p.m.** via GoToMeeting.

Committee Members Present: Mayor MacKenzie, John Beirl, Ana Tochtermann, and, Jeff Beirl

Committee Members Absent: David Mettillie (excused), Laurie Gregor (excused), and JoAnn Erickson (excused)

Staff Present: Steven Wiley, Mandelyn Lyons, Max Lindsey

Mayor MacKenzie opened the meeting at 6:30 p.m.

Agenda

1) Approval of Agenda

Motion to approve the agenda by John Beirl, seconded by Ana Tochtermann. Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the September 20, 2022 & October 18, 2022 Plan Commission meeting

Motion to approve the minutes from the September 20, 2022 & October 18, 2022 Plan Commission meetings by John Beirl, seconded by Jeff Beirl. Passed unanimously.

3) Public Comment (non-agenda items)

Will Pipkin commented, "It's cold."

4) Action Items

a) Railroad right-of-way purchasing procedure with citizen initiated requests – Discussion/Action if necessary

Steven Wiley introduced and explained issues regarding citizen initiated railroad right-of-way purchases. He explained that there currently is not a system in place for the sale of these properties since prior staff was advised these sales are not allowed. Steven further explained that there are complexities with railroad ROWs and how Max Lindsey is drafting a policy for staff to follow.

Max Lindsey presented the draft policy which outlined potential pricing and how areas of land should be dispersed between abutting property owners.

Several commissioners asked what price citizens would be charged for the land they acquire in a railroad ROW sale.

Lindsey responded that the price he mentioned in the draft policy can be changed and that the pricing suggested is based off of current ROW vacation pricing.

The Commission asked that staff follow the proposed policy as presented by Lindsey for the first Railroad ROW land sale and come back to the Planning Commission with any comments or concerns on the process before making it official.

5) Announcements/Reports/Comments/Questions

6) Adjournment

Motion to adjourn by John Beirl. Seconded by Ana Tochtermann. Passed unanimously.

Meeting was adjourned at 7:45 pm. Minutes done by Mandelyn Lyons.

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City of Ashland, Wisconsin

601 Main Street West Ashland, WI 54806 www.coawi.org

**DEPARTMENT OF
PLANNING &
DEVELOPMENT**

601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – April 25, 2023

Agenda Item # 5a: Conditional Use Permit Request to allow an expansion of a Clinic Use

Zoning District: Single & Two Family Residential
Property Address: 619 9th Ave W
Parcel #: # 201-04374-0000
Applicant: Savita Jones o/b/o Ashland Birth Center
Staff Contact: Steven Wiley

Background

Savita Jones is requesting an expansion of the existing clinical use at 619 9th Ave W on behalf of the Ashland Birth Center. The Ashland Birth Center has operated as an outpatient facility that offers a myriad of services related to prenatal, birth, newborn, and postpartum care. The Ashland Birth Center provides a unique environment for patients that feels more like home than a clinic or hospital, which helps them serve a variety of clients comfortably. Services are provided by Licensed Midwives, Student Midwives, and Doulas.

The existing site houses one large building with an attached garage space. There are two vehicular accesses to the property, one is off of 9th Ave W and the second is off an alley connected to 7th St. W & 6th St. W. There is limited parking onsite located on the northwest side of the property. The existing building is approximately 3,800 sq. ft. including the attached garage. The main part of the building is where the clinic operates and the garage is currently being used for storage. The southern area of the property has several trees that run parallel to 7th St. W. Screening of the alley is accomplished through a mixture of trees and shrubs.

Clinics are a conditional use in the Single & Two Family Residential zoning district. The original clinic use was approved by a Conditional Use Permit in 2012 with contingencies related to the intensity of the use, signage, parking, and screening. The Ashland Birth Center plans to expand their clinical use by renovating their current garage into a classroom area for their patients, staff, and educators. This renovation will also include expanding their parking area and fencing in a portion of their yard.

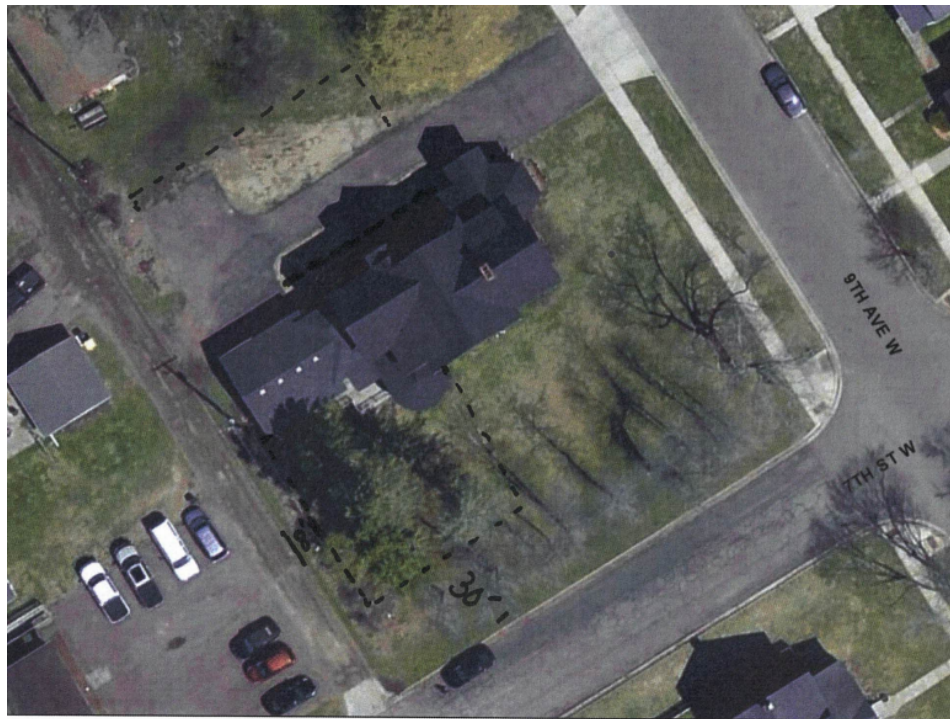
Existing Land Use	Zoning
Clinic operating as Ashland Birth Center	Single & Two Family Residential (R-2)

Existing Uses		Zoning
North	Single family homes	Single & Two Family Res.
South	Single family homes	Single & Two Family Res.
East	Single family homes	Single & Two Family Res.
West	Religious Institution, Single family homes, Commercial	Single & Two Family Res., Regional Commercial

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Traditional Neighborhood & Mixed-Use District

Site Design and Parking

The applicant has proposed the addition of three parking spots along with refinishing the existing parking area, a privacy fence located to the south of the garage, and renovations to the existing attached garage.



Parking

The applicant plans to install three new parking spaces, and refinish the existing black top in order to for easier parking and vehicle flow. This addition will require removal of some trees and shrubs that are currently located under power lines parallel to the alley. The exact amount of new black top to be installed is not yet known, but based on rough calculations from the provided drawings staff estimates 1,000 sq. ft. of blacktop being added.

Fencing

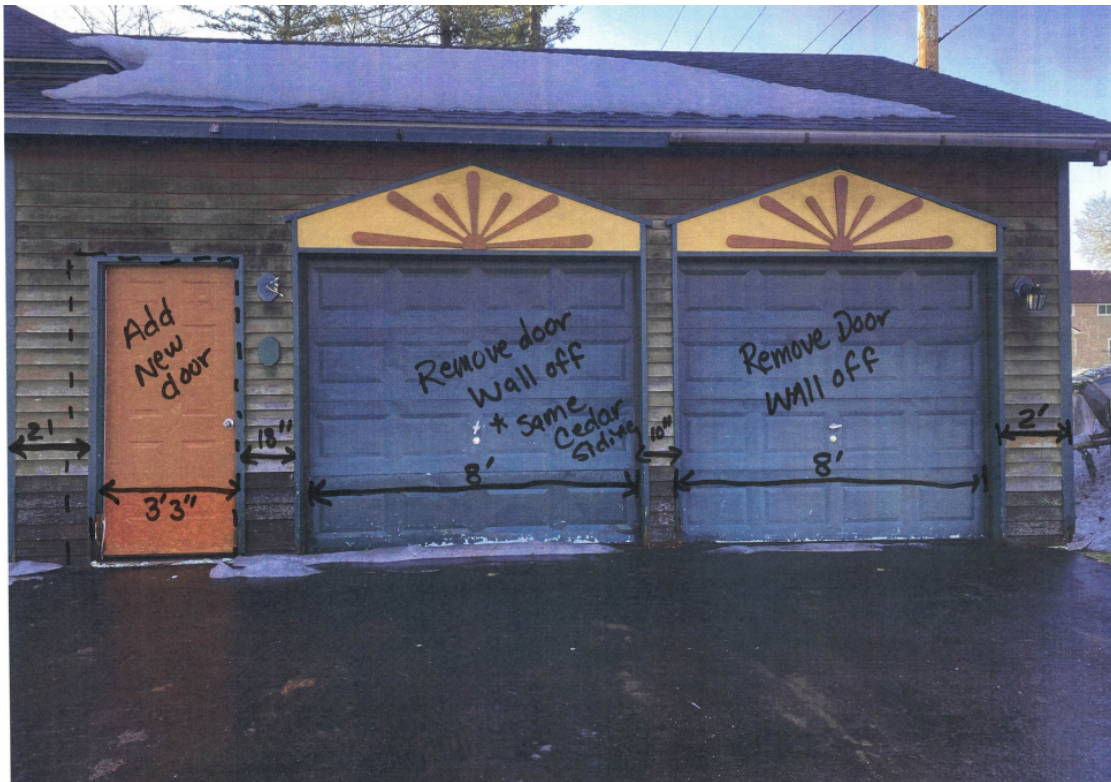
The applicant has proposed approximately 137 linear feet of six-foot-tall cedar fencing to the south of the garage. This will create screening for the classroom use along 7th St. W and part of the alley. The fence is projected to meet and exceed necessary setbacks from the alley and the street.

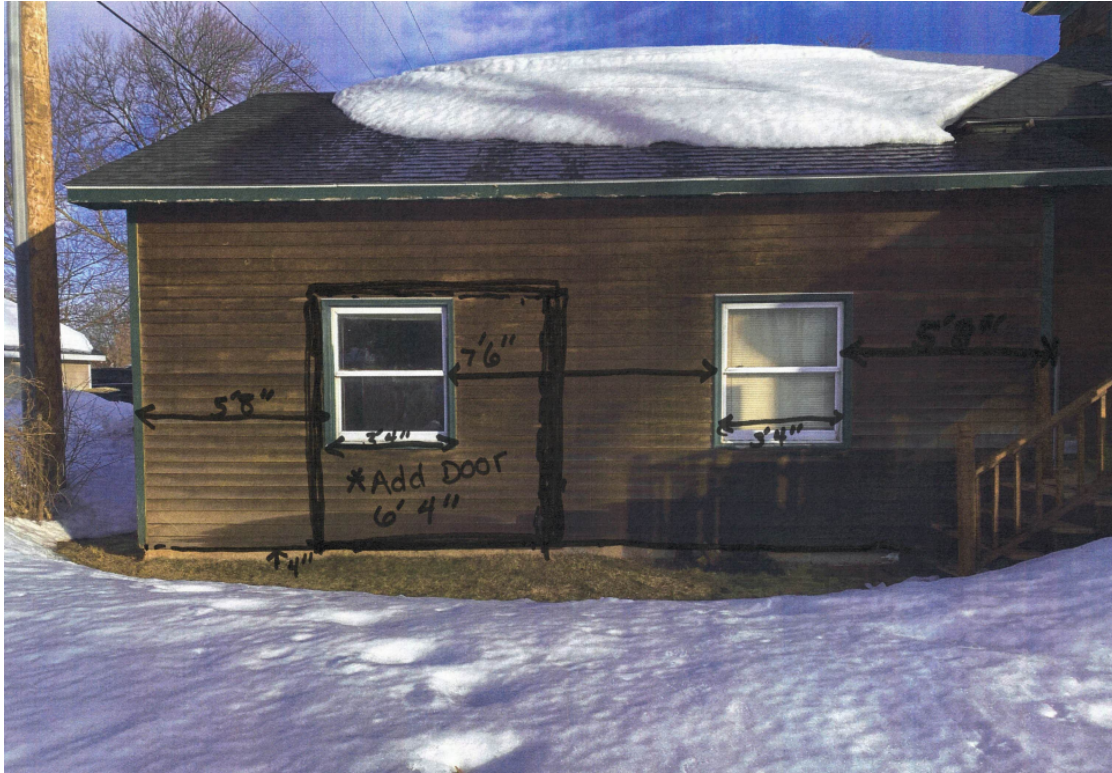
Garage to Classroom Renovation

The CUP is for the garage to classroom renovation that is proposed. There are no structural changes to the garage within the plans. The current garage has two doors facing the north that are to be covered and sided with like siding material. The applicant has indicated that there is identical siding proposed for the covering. A new wider door for access will be installed.

The south facing side of the garage will also be renovated. There are two existing windows on the south side of the garage and one will be removed and a door will be added to access the fenced in area. The other window will remain. Staff is including a condition that any covered doors will require siding that is of like or identical material and color.

Internal renovations of the garage which was previously used as a daycare include the aforementioned exterior changes, interior paint, flooring, new countertops and cabinets, and ceiling tile replacement. All of these changes are considered minimal for the proposed use.





Landscaping

The applicant is proposing removal of shrubs and trees that are currently located alongside the alley and under powerlines. Removal of this will allow for the parking lot expansion. The current parking expansion plan does not trigger any landscaping plan requirements outlined in UDO Section 6.4 A as the parking area will not create more than 20 spaces and is not disturbing more than 2,500 square feet.

Lighting

No changes to lighting are proposed at this time. Any changes to lighting in the future will require internal review through a building permit or potential review by Planning Commission if the additions are substantial.

Standards for Conditional Use Review

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used to review the submitted conditional use:

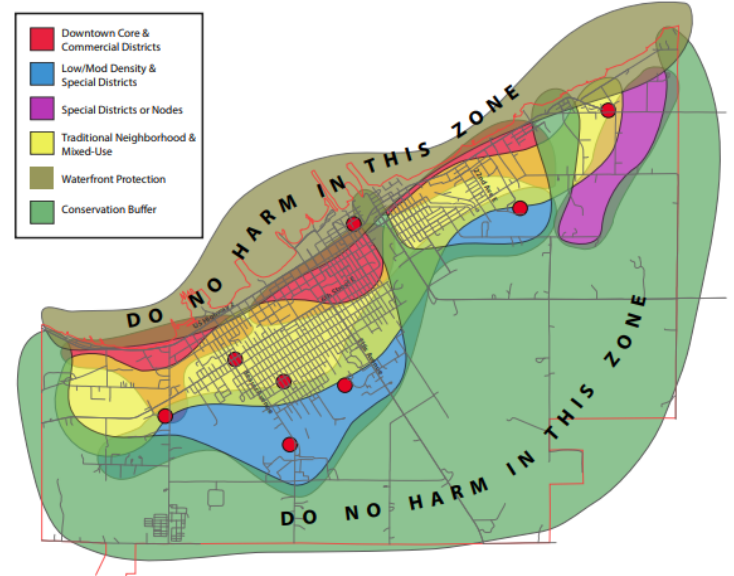
1. Consistency with Comprehensive Plan.

This expansion is consistent with the goals of the Comprehensive Plan. Within the Comp Plan there is a call for Ashland to continue prioritizing quality of life for residents, which is achieved by having a diverse mix of high-quality services. The Ashland Birth Center provides a comprehensive service to residents that is unique for the Northern Wisconsin area.

The Comp Plan also places emphasis on creative in-fill, and while that is primarily directed towards the housing market it also can apply to low intensity commercial and institutional uses as well. The Ashland Birth Center's original CUP application identifies that this building is an ideal space because it is too large for most residential uses and not quite large enough to accommodate and intense commercial use.

The proposed use is consistent with the Future Land Use Plan as the development is within the Traditional Neighborhood & Mixed-Use District. The future land use plan defines this district as a flexible area that allows for a mix of residential uses such as single-family homes, duplexes, or multi-family dwellings that sit alongside lower intensity commercial uses. While the Ashland Birth Center is proposing to expand their clinic use it will still be considered low intensity and fit within a neighborhood setting.

FUTURE LAND USE PLAN



2. Compatibility.

Expansion of the clinical use with a classroom is compatible with the site. Surrounding uses include residential homes and religious institutions, with a small commercial parcel to the northwest. The church directly across the alley to the west holds regular services, and likely provides smaller services and religious classes. Thus, smaller influxes of traffic already occur around the site regularly. The classes are likely to not create more traffic than the area already has.

Second the expansion of the use is compatible with the site since there is ample space for it within their garage area. The renovations to include a classroom space utilizes an area that is onsite and already pre-built. The Comprehensive Plan places an emphasis on creative infill not only for housing but for commercial uses as well. Expansion of the classroom into the existing garage is utilizing space on the property instead of looking for an alternate location.

3. Importance of Services to the Community.

The Ashland Birth Center has been providing care for over a decade to not only Ashland residents but also those from surrounding communities. This center has been an integral part of the community providing birth care in a non-traditional hospital setting. This center fulfills a niche in birth work that many other communities do not have nor have the resources to start.

4. Neighborhood Protections.

Given that the existing use has been operating on the site for over a decade and that the expansion will not dramatically intensify the use there are no anticipated impacts on the area. Traffic patterns are unlikely to change and additional parking will accommodate any influx in visitors with the classroom use.

Screening will be accomplished with the existing tree cover and the addition of the proposed 6' tall fence located to the south of the garage.

5. Conformance with Other Requirements:

The development must conform to all other applicable City code requirements, including (but not limited to):

- a. Local and state building code requirements to ensure the property meets code standards for the proposed use prior to issuance of an Occupancy Permit.
- b. The applicant shall obtain necessary building permits for any remodeling, fencing, or parking lot expansion.

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- The applicant shall obtain any necessary permits for the proposed expansion, including building permits and occupancy permits.
- The applicant shall obtain any necessary permits for future changes including lighting, signage, etc.
- Siding used to cover the garage doors shall be the same or like materials to match the rest of the building.
- The existing building does not meet required setbacks outlined in UDO Section 4.3 (C., 2.) thus any future structural additions/expansions will require review from the Planning Dept. and potentially Planning Commission.
- Any proposed future expansions of the clinic use will require Plan Commission and Common Council review.

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a determination. The required Class 2 public hearing notice was issued on April 7th & April 18th, and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

Ashland Birth Center Proposed Garage to Classroom – March 2023

The Ashland Birth Center is intending to remodel the existing garage to provide a space to host some workshops in the future. The project does not entail removing any structural walls, installing new plumbing, new electric, nor hvac systems. The existing garage was previously used as a childcare facility and mostly needs repair and a few changes for accessibility. The following changes are noted as:

Estimated Cost \$16,000

1. Remove existing garage doors (2) and replace with walls.
2. Replace the existing front door, not moving location.
3. Remove existing wallpaper and then plaster and paint existing dry wall.
4. Replace existing cupboards and add a counter top below.
5. Add a double door on back yard side of building.
6. Replace existing windows, no change in placement or size.
7. Replace carpet on steps leading to main building.
8. Replace door going into main building, no change in placement.
9. Install a floating floor.
10. Replace a few ceiling tiles that have been damaged.

Parking: Ashland Birth Center is intending to add additional parking/refinish existing parking space. The additional parking will include three parking spaces. And expand the black top to be closer to the building. This proposal will allow more room for our customers to move freely in our driveway/parking area and avoid parking on the street or congestion on our lot. The project will include removing the trees and shrubs under the power lines on the alley side. This work will be commissioned with a concrete company, not yet identified. We intend to get estimates in the spring. *Attached is the rough drawing. *Rough estimate \$12,000*

Fence: Ashland Birth Center is intending to add a fenced in area in the back yard. This fence will come off the existing Garage, proceed along the alley side towards 7th St W. The trees and shrubs will be removed under the power lines on the alley side. The fence will run parallel with 7th St W about 30 feet, it will be 12-15 feet off of the curb (on the yard side of the tree line). It will proceed back to the house and connect with our existing back porch. The fence will be cedar to match the main building. It will be installed by a fence company, likely one based out of Marengo. *4' tall fence approx 12' set back off of 7th St. W. Approx 6' set back off of Alley, estimated cost: \$2,200 Approx 180 Linear feet*

The Ashland Birth Center is not adding staff. The Ashland Birth Center is not adding additional use plans.

Savita Jones

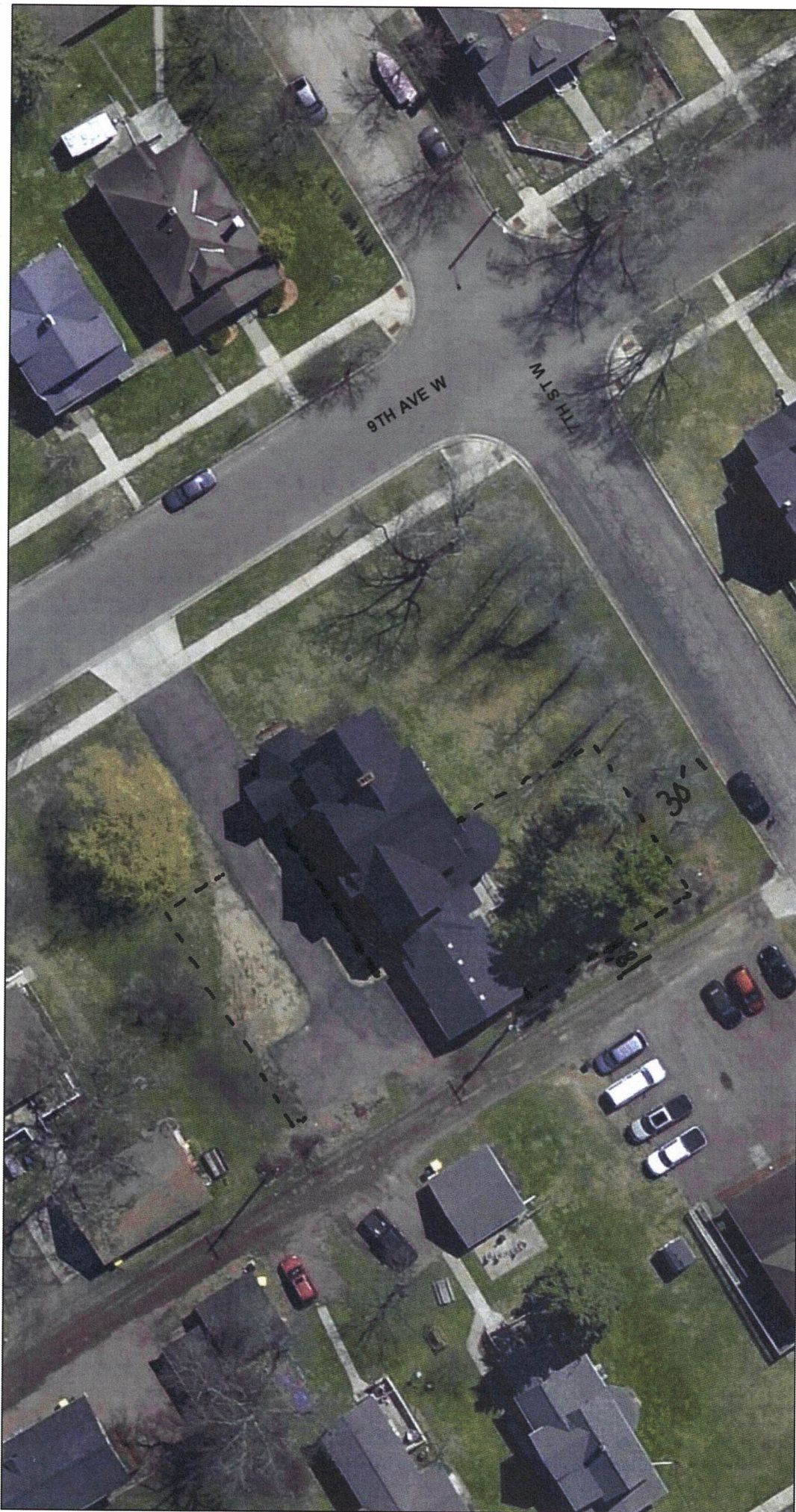
Owner/Director

715-413-0197

Total estimated cost: \$35,000

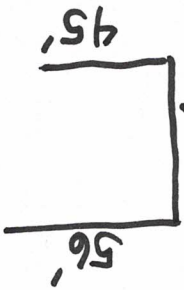




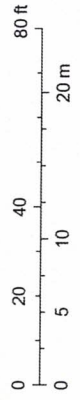


3/27/2023, 11:05:03 AM

Fence: 8' off alley
30' off 7th St Curb



1:500



City of Ashland Public Works Department, GIS Division,
PICTOMETRY INTL

Department of Public Works Engineering
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PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be conducted by the Ashland City Planning Commission on Tuesday, April 25th, 2023 at 6:30 pm in the Ashland City Hall Council Chamber and virtually via Go To Meeting. The meeting can be joined in person or by using a computer, smartphone or tablet at : <https://meet.goto.com/286404381>. The meeting can also be joined by phone at 1 866 899 4679 using Access Code: 286-404-381. To get more information or to provide comments in advance of the meeting to be shared in the Public Hearing, contact swiley@coawi.org or 715-685-1610.

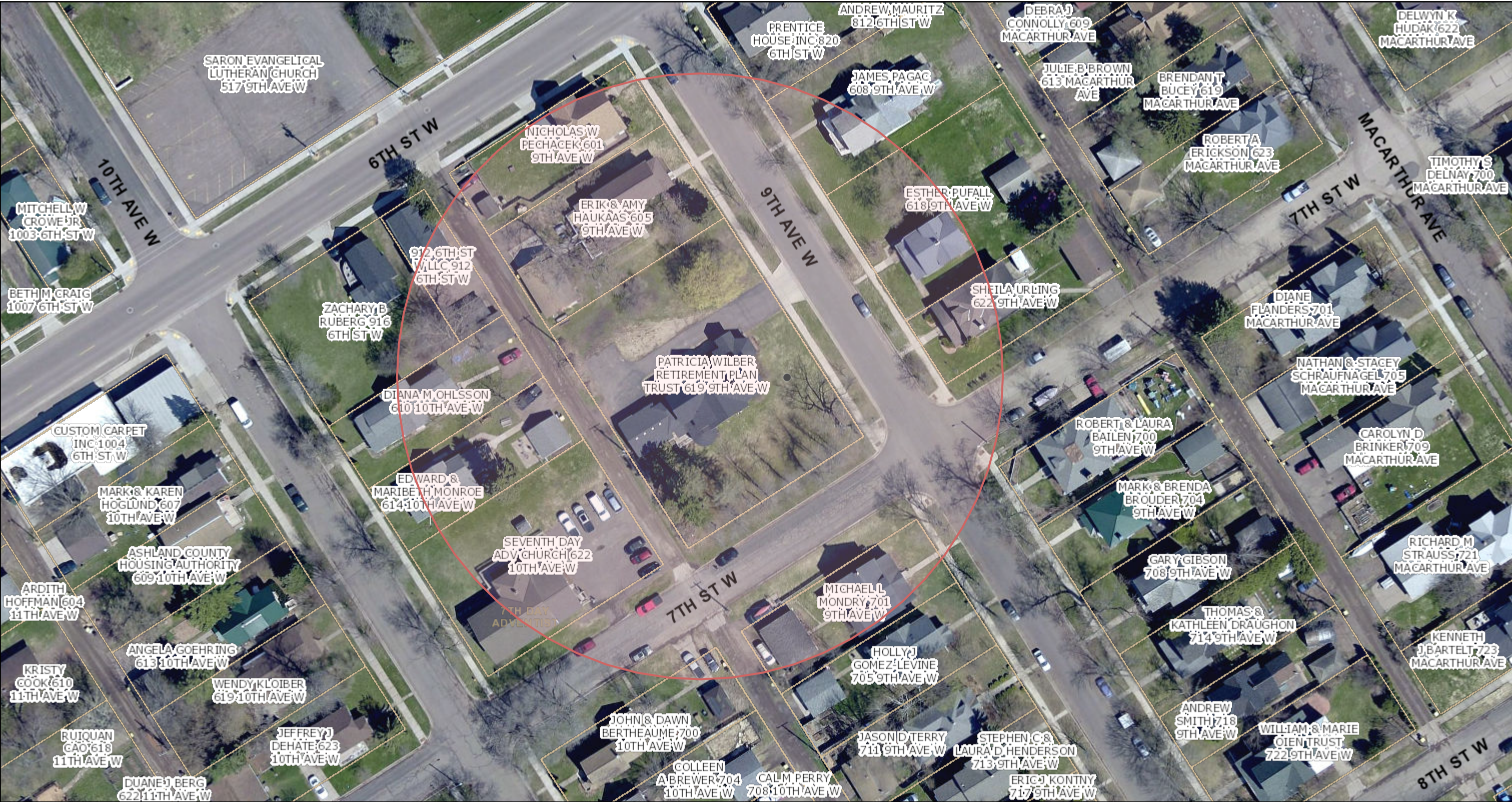
At that time a reasonable opportunity will be afforded to all interested parties to express their view on the proposed matters. The purpose of this notice is for the following:

- a. Request for a Conditional Use Permit to expand a clinic use at 619 9th Ave W, zoned Single & Two Family Residential (R-2). Applicant: Ashland Birth Center.
- b. Request for a Conditional Use Permit to institute a multi-family dwelling use at 208 3rd Ave W, zoned City Center (CC). Applicant: S.H. Warren LLC.

All members of the general public wishing to be heard on these matters are notified to appear before the Planning Commission.

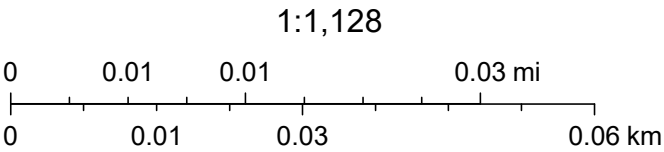
City of Ashland
Department of Planning & Development
swiley@coawi.org
715-685-1610

619 9th Ave W - CUP Neighbor Letter Range 200 ft.



3/27/2023, 9:40:47 AM

-  Override 1
-  Parcel Mapping
- Parcel Labels



City of Ashland Public Works Department, GIS Division, PICTOMETRY INTL



The CITY of
ASHLAND
WISCONSIN

DEPARTMENT OF PLANNING & DEVELOPMENT
601 MAIN ST. W
ASHLAND, WI 54806

4/1/2023

RE: Notification of a Conditional Use Permit application for a property near your property.

Dear Neighbor,

The City of Ashland is writing to notify you that the Ashland Birth Center has applied for a Conditional Use Permit (CUP) to expand a clinic use at 619 9th Ave W, parcel #201-04374-0000, zoned Single & Two Family Residential (R-2).

The City of Ashland welcomes your input on this CUP, and invites you to appear before the Plan Commission with any comments at the Public Hearing scheduled for **Tuesday, April 25th, 2023 at 6:30 pm** in person at the City Hall Council Chambers or via Go To meeting. You can join the meeting on a computer, smartphone or tablet using the link: <https://meet.goto.com/286404381>. You can also join via phone at United States (Toll Free): 1 866 899 4679 using Access Code: 286-404-381.

If you are unable to attend the meeting, please feel free to send comments or questions to be shared at the public hearing ahead of time to Steven Wiley at 715-685-1610 or swiley@coawi.org, or submit written comments to our office at 601 West Main Street, Ashland, WI, 54806.

Sincerely,

Steven Wiley
Director of Planning & Zoning

Email: swiley@coawi.org
Phone: 715.685.1610.

ERIK & AMY HAUKAAS
605 9TH AVE W
ASHLAND, WI 54806

SEVENTH DAY ADV CHURCH WI CORP OF
SEVENTH DAY ADVENTISTS
P.O. BOX 100
FALL RIVER, WI 53932

NICHOLAS W PECHACEK & LAUREN E DUFFY-
PECHACEK
601 9TH AVE W
ASHLAND, WI 54806

JOHN & DAWN BERTHEAUME
700 10TH AVE W
ASHLAND, WI 54806

MICHAEL & JILLIAN MONDRY
701 9TH AVE W
ASHLAND, WI 54806

SHEILA URLING
622 9TH AVE W
ASHLAND, WI 54806

912 6TH ST W, LLC
C/O JACK HOGLUND
910 15TH AVE W
ASHLAND, WI 54806

ESTHER PUFALL
1500 9TH AVE W
ASHLAND, WI 54806

MORGAN BRESETTE
916 6TH ST W
ASHLAND, WI 54806

JAMES PAGAC
2117 5TH ST E
ASHLAND, WI 54806

DIANA OHLSSON
610 10TH AVE W
ASHLAND, WI 54806

PRENTICE HOUSE, INC
PO BOX 891
ASHLAND, WI 54806

EDWARD & MARIBETH MONROE
614 10TH AVE W
ASHLAND, WI 54806



STAFF REPORT

Plan Commission – April 25th, 2023

Agenda Item # 5a: Conditional Use Permit Request to allow a Multi-family Use

Zoning District: City Center (C-C) District

Property Address: 208 3rd Avenue W, 206 3rd Avenue W

Parcel #: # 201-01650-0100 (Opera House), # 201-01654-0000, # 201-01650-0000

Applicant: Scott H. Warren on behalf of S.H. Warren, LLC

Staff Contact: Steven Wiley

Background

Scott Warren of S.H. Warren, LLC is requesting a Conditional Use Permit to allow a multi-family use at 208 3rd Avenue W. The owners have acquired three parcels which they would combine for the proposed adaptive reuse and associated parking. The 0.110-acre (4,791.6 square foot) main subject property is zoned City Center (CC) and is located within the downtown a half block off of Main Street. It contains the former Opera House which is a contributing structure in the West 2nd Street Historic District. The Opera House was constructed in 1892 and occupies most of the parcel. The building has remained vacant for many years. The 0.018-acre (784.08 square foot) parcel immediately to the north contains a two-story commercial structure which formerly served as Eddie's Bar. This building occupies its entire parcel and is dilapidated. The 0.08-acre (3,484.80 square foot) parcel immediately to the south serves as an access drive. The subject properties and all immediately surrounding parcels are zoned CC. The surrounding properties consist of a mix of commercial, vacant, and parking uses.

Existing Land Use	Zoning
Vacant: Former Opera House	City Center (CC)

Adjacent Land Use and Zoning

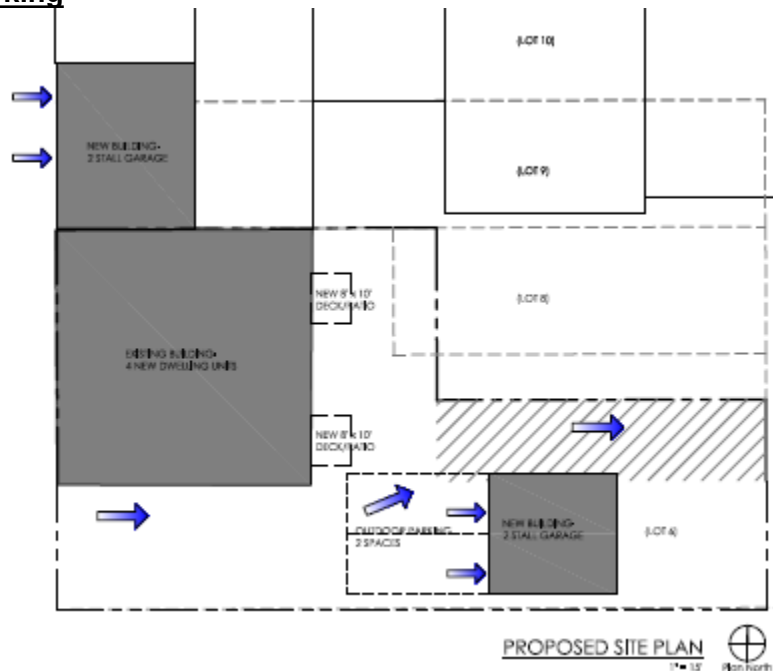
Existing Uses		Zoning
North	Various Commercial Uses	City Center (CC)
South	Vacant, Commercial	City Center (CC)
East	Vacant, Parking lot, Various Commercial Uses	City Center (CC)
West	Parking lot, Various Commercial Uses	City Center (CC)

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Downtown Core and Commercial Districts

Analysis

The current owners recently acquired the building and would like to convert it to condominium units with associated garages and parking areas. They have acquired all three parcels and plan to combine the parcels into one. They have met with Planning staff and discussed their project. Staff informed them that Plan Commission and City Council review and a conditional use permit are required to allow a multi-family residential use in the City Center District. The applicants will also have to combine all three parcels into one lot via Certified Survey Map (CSM) and submit the CSM to Planning staff for review prior to commencing work on-site.

Site Design and Parking



The applicants would renovate the existing Opera House building (the principal structure on site) and would not be altering the overall square footage of the original building. They would demolish a small non-original addition on the rear of the building and create four (4) condominium units in the building. Each unit would have an associated patio or deck on the east side of the building. The two-story former Eddie's Bar structure adjacent to the Opera House would be demolished and replaced with a two-car garage associated with the condominium units. A detached two-car garage and dumpster enclosure would be constructed on the southern parcel. An access drive and surface parking will run along the southern portion of the property. For multi-family structures ordinance requires 1 parking space per 1-bedroom unit and 2 parking spaces per two-bedroom unit. The site plan shows 4 garage parking spaces and room for at least 2 surface spaces which would meet the parking requirement (see table below). A 3-foot setback is proposed between the access drive and south property line. Ordinance allows the Plan Commission to grant such a setback and staff does not have concerns with the 3-foot setback proposed. Currently no setback is shown between the north edge of the access drive and property line. A gravel access drive currently runs between the subject properties and adjacent parcels. Staff would recommend as a condition of approval that any pavement not cross the property line.

Planning staff spoke with Public Works regarding the proposed garage that would take the place of the Eddie's Bar structure. Staff wanted to address potential conflicts that could arise between pedestrians and vehicles entering and exiting the garage across the sidewalk. Public Works does not have concerns with the garage entrance as proposed provided an appropriate sign or warning device for pedestrians is included as part of the project. Staff would recommend as a condition of approval that the applicants submit to Public Works designs for a sign or warning device for pedestrians at the garage entrance proposed off of 3rd Avenue West. The applicants would submit this to Public Works as part of the Site Plan Review process prior to work commencing.

208 3rd Avenue W/206 3rd Avenue W - Parking	
Parking Required	1 space per 1-bedroom unit, 2 spaces per 2-bedroom unit - 2 one-bedroom units, 2 two-bedroom units = 6 spaces
Parking Proposed	4 enclosed spaces, 2 surface spaces - 6 spaces

Building Elevations

The exterior façades will remain the same except the east façade which will have window and door openings for the new housing units. The owners plan to preserve much of the historic integrity of the 3rd Avenue W façade. The applicants have submitted elevations for the proposed detached garage and dumpster enclosure. They have not yet submitted elevations for the garage off of 3rd Avenue West or the east façade of the Opera House. Staff recommends as a condition of approval that the applicants submit elevations for the proposed 3rd Avenue West garage and east elevation of the Opera House showing window and door openings.



EXISTING BUILDING TO REMAIN
NO SCALE

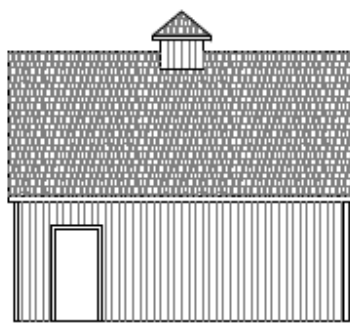


EXISTING BUILDING TO REMAIN
NO SCALE

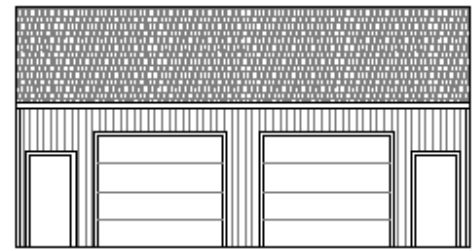
The above images are of the west and east facades of the Opera House. Note that the lean-to structure shown in the image on the right is slated for demolition.



GARAGE CONCEPT-ALLEY
WEST ELEVATION
3/16" = 1'-0"

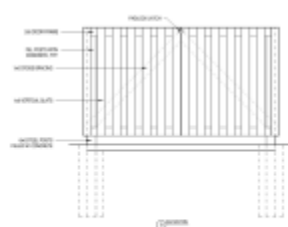
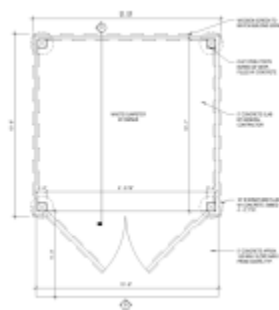


GARAGE CONCEPT-ALLEY
SOUTH ELEVATION
3/16" = 1'-0"

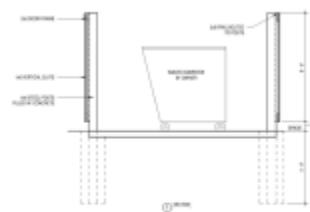


GARAGE CONCEPT- 3RD AVE W
3/16" = 1'-0"

Above are elevations for the proposed detached garage. Below are the dumpster enclosure plan, elevation, and section.

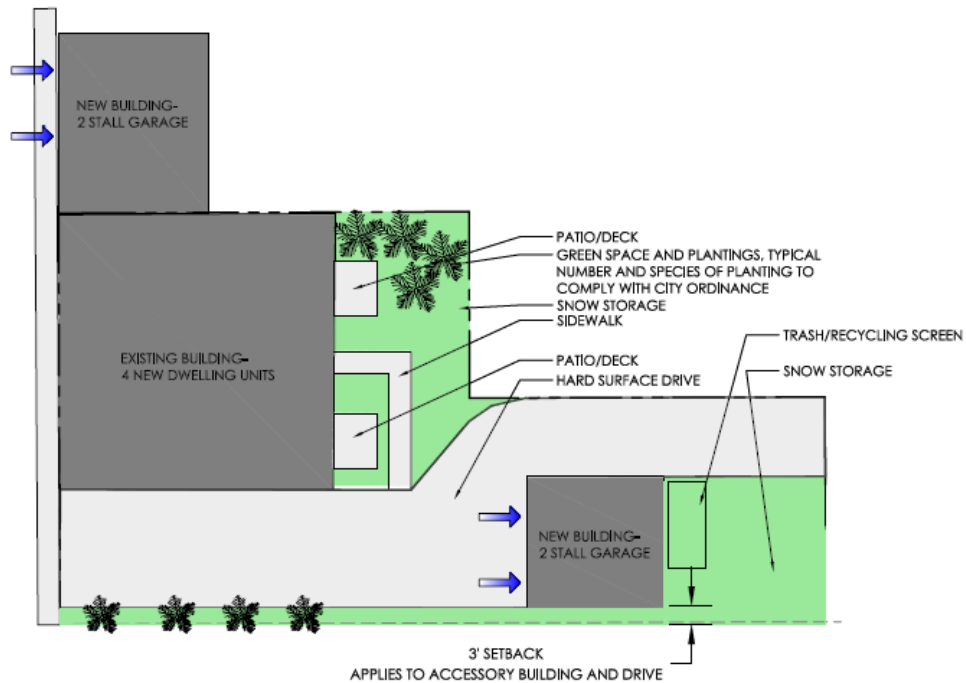


NOTE:
THESE DRAWINGS ARE SCHMATIC IN NATURE. ACTUAL
DIMENSIONS, DETAILS, AND FINISHES TO BE DETERMINED



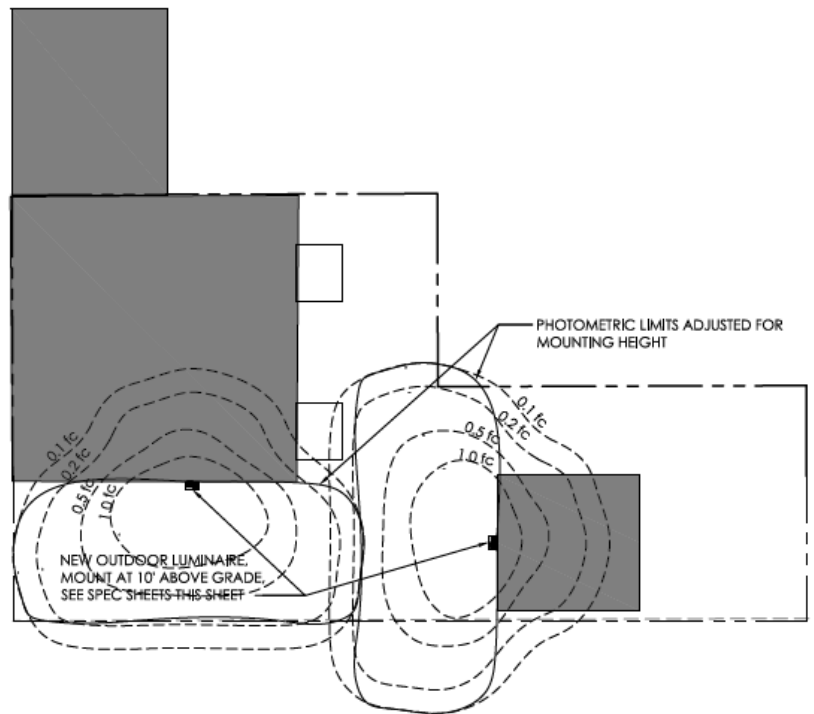
TRASH ENCLOSURE
NTS

Landscaping



The applicants propose some green space along the southern portion of the combined site and at the rear (to the immediate east) of the Opera House building. The City Center district includes compact, dense development with zero setback situations. Therefore, the ordinance allows some flexibility with the planting requirements. Typically ordinance does not require additional landscaping for a structure where only a change of use is requested. For accessory structures ordinance does require one (1) tree and two (2) shrubs for every two thousand (2,000) square feet of land disturbance. Currently the landscaping plan shows 8 plantings and staff is supportive of the plan as submitted unless the Plan Commission would like to see a different mix of trees and shrubs.

Lighting



The applicants have submitted a photometric plan as part of their plan set (above). The lighting plan shows on-building wall packs and appears to meet the maximum allowable light trespass of 0.5 footcandles at the property lines. Unless the applicants propose more than three (3) surface parking spaces on-site staff does not have concerns with the lighting plan as proposed. If more than 3 parking stalls are proposed staff would recommend as a condition of approval that the applicants submit a revised lighting plan for staff and Plan Commission review showing that the minimum light levels and uniformity level are met as part of the Site Plan Review process.

Standards for Conditional Use Review

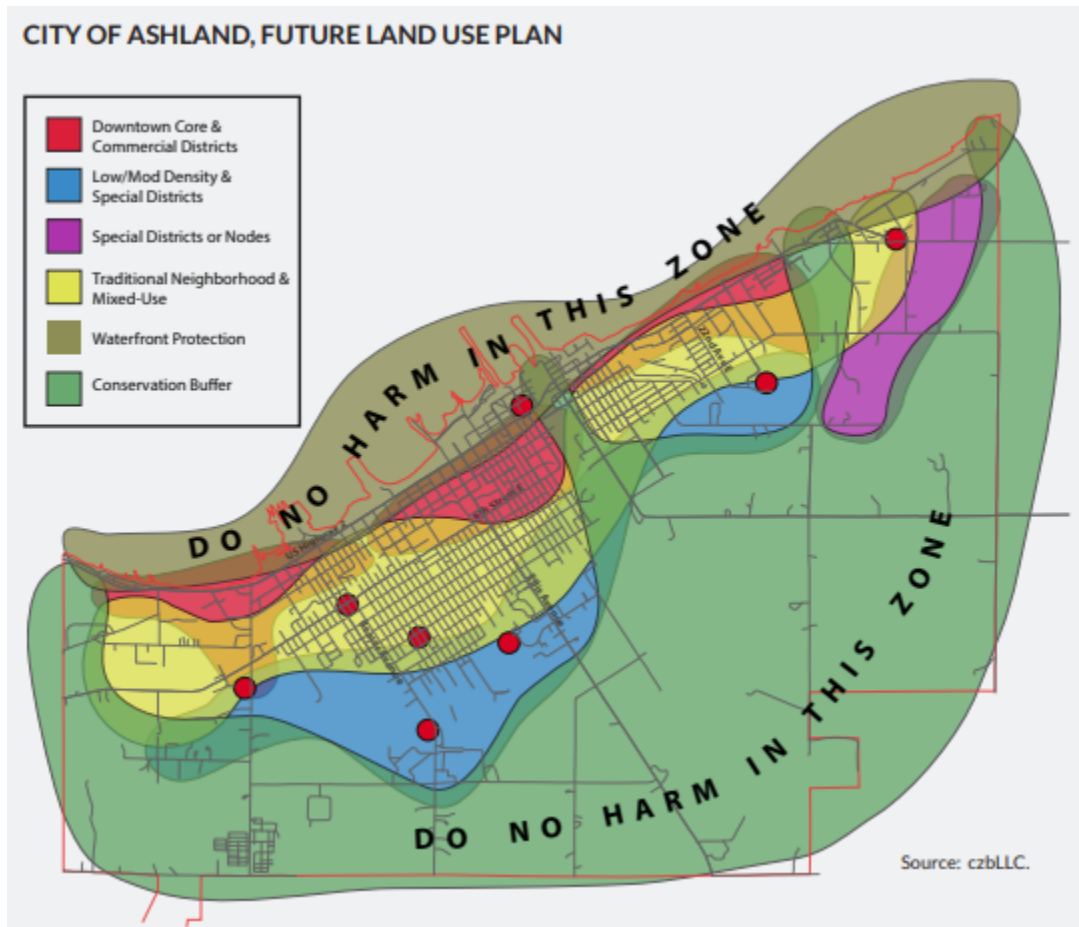
The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used to review the submitted conditional use:

1. Consistency with Comprehensive Plan.

The proposed adaptive reuse for multi-family at 208 3rd Avenue W is in conformance with the Future Land Use Map, and it supports the principles and goals of the Comprehensive Plan. The site is classified in the Future Land Use Map as Downtown Core and Commercial Districts. The plan encourages increased residential construction. The plan states:

The City's downtown area must shrink in size; the current downtown/main street area is a mile long and the east side continues to experience significant vacancies. The west side maintains significant activity and many historic buildings. This area, between 9th Avenue West and Ellis Avenue, is the heart of Ashland...economically, socially, and historically. The City and private investors must do everything possible to protect and enhance this area. Economic incentives, public private partnerships, increased residential construction, an expanded West Second Street Historic District, etc. should be utilized to further revitalize the downtown. The City should strongly consider creating a new tax increment

financing district (TID-10). The east side will be better served as a higher density residential district with neighborhood commercial opportunities. (Authentic Ashland, pg. 54)



For the Downtown Core & Commercial Districts the plan states:

While a variety of commercial uses make up the majority of these districts, these areas should increasingly be populated by mixed use development. Residential development and/or offices on the upper floors of retail establishments are encouraged within these districts. Residential development is, and should be, designed at higher densities in these areas. Buildings should front the rights-of-way and begin to move away from the post-WW2 development pattern that situated buildings behind large expanses of parking lots. (Authentic Ashland, pg. 57)

The proposed use is a multi-family, dense residential adaptive reuse of an existing historic building. The reuse and occupancy of the building would provide four high quality new housing units downtown, and revitalize a dilapidated historic building. The adaptive reuse project is preserving a significant structure and historic resource in the West 2nd Street Historic District. Though the proposed use is entirely residential rather than mixed use, it is not directly on Main Street and is a high-density development so staff is of the opinion that it is inline with the plan goals for the Downtown Core and Commercial Districts.

The Comprehensive Plan also outlines the need to preserve the City's historic buildings in the following text:

The City should continue to be diligent in protecting these remaining buildings, but it is equally as important for the City to promote architecture and development that is sensitive to the historic character of the area. (Authentic Ashland, pg. 46).

The adaptive reuse of the Opera House, the proposed improvements to the site, including the paving and landscaping, will help revitalize a vacant site while maintaining the historic character of the site.

2. Compatibility.

The proposed use is compatible with the site and surrounding areas. The surrounding uses are primarily commercial or mixed use. Surrounding uses in the area include various retail establishments, the Ashland Historical Museum, personal and professional services, and the Ashland County Courthouse.

The applicants plan to utilize existing infrastructure on the site and are willing to work with this existing nonconforming parcel.

3. Importance of Services to the Community.

The applicants are local developers and will provide additional high-quality housing to the community at a site that has remained vacant for over ten years. The lack of high quality affordable and market rate housing options is a challenge for the community of Ashland. The reuse of this site as a housing development enables re-use of an existing historic asset that may otherwise remain vacant or be demolished.

4. Neighborhood Protections.

Given the proposed use's compatibility with the surrounding uses and the past use as an opera house and liquor store, the proposed use is not anticipated to have any negative impacts on the area. Traffic activity is unlikely to change significantly as the site is a half-block off of Main Street, which already has high traffic volumes. The applicants have included landscaping in their preliminary site plan drawings and the planning department and Plan Commission can work with the applicants regarding the final landscaping and lighting plans.

5. Conformance with Other Requirements:

The development must conform to all other applicable City code requirements, including (but not limited to):

- a. Local and state building code requirements to ensure the property meets code standards for the proposed use prior to issuance of an Occupancy Permit.

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- The applicant shall be required to submit a full site plan to the City for review and approval.
 - Applicants shall combine the three parcels into one lot and submit the Certified Survey Map to Planning and Development Staff for review prior to commencing work.
 - Applicants shall include an appropriate warning sign/method for pedestrians at the garage entrance off of 3rd Avenue West. Applicants shall submit this to the Department of Public Works for review as part of the Site Plan Review process.
 - Site plan to include dimensions of drive aisles, parking lot setbacks, and proposed grading and stormwater flows.
 - Paved area shall maintain at least a 3-foot minimum setback from the southern property line and not cross the property line on its north side.
 - Site plan submittal to include elevation drawings for the proposed garage off of 3rd Avenue W and the east elevation of the Opera House building with proposed window and door openings.
 - If the applicants propose more than 3 surface parking spaces they shall revise the photometric plan for staff and Plan Commission review showing that the minimum light levels and uniformity level are met as part of the Site Plan Review process.
 - Applicants to submit a landscaping species list as part of the site plan submittal.
- Standards required by the property's zoning, as well as the property's overlay zoning districts, specifically required exterior building design and landscaping standards, shall be adhered to, including:
 - Construction shall be of quality finish materials including, but not limited to, brick, stone, stucco, wood, and architectural concrete. Unfinished concrete masonry units and

corrugated metal or plastic siding shall be prohibited (UDO 6.2 C.3.c.). The color of each façade material should be harmonious with the color of all other façade materials used on the same building, as well as the color of façade materials used on adjacent buildings. For the purpose of this Ordinance, harmonious shall be defined as colors that are complimentary in hue, tone, and intensity. The use of dissonant and/or intense colored façade materials should be avoided;

- Any existing nonconformities (i.e., setbacks, lot coverage) shall not be expanded by new uses of the property. Based on staff's initial review, the standards appear to be met by the current structures.

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a determination. The required Class 2 public hearing notice was issued on April 7th & April 18th, and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.



OUTDOOR LIGHTING BASIS OF DESIGN



PROJECT NUMBER: 23002
BUILDING ALTERATIONS FOR
OPERA HOUSE CONDOMINIUMS
ASHLAND, WISCONSIN

DRAWN:
TAW

REV:

DATE:
4-5-23

SHEET:
AS302

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be conducted by the Ashland City Planning Commission on Tuesday, April 25th, 2023 at 6:30 pm in the Ashland City Hall Council Chamber and virtually via Go To Meeting. The meeting can be joined in person or by using a computer, smartphone or tablet at : <https://meet.goto.com/286404381>. The meeting can also be joined by phone at 1 866 899 4679 using Access Code: 286-404-381. To get more information or to provide comments in advance of the meeting to be shared in the Public Hearing, contact swiley@coawi.org or 715-685-1610.

At that time a reasonable opportunity will be afforded to all interested parties to express their view on the proposed matters. The purpose of this notice is for the following:

- a. Request for a Conditional Use Permit to expand a clinic use at 619 9th Ave W, zoned Single & Two Family Residential (R-2). Applicant: Ashland Birth Center.
- b. Request for a Conditional Use Permit to institute a multi-family dwelling use at 208 3rd Ave W, zoned City Center (CC). Applicant: S.H. Warren LLC.

All members of the general public wishing to be heard on these matters are notified to appear before the Planning Commission.

City of Ashland
Department of Planning & Development
swiley@coawi.org
715-685-1610



The CITY of
ASHLAND
WISCONSIN

DEPARTMENT OF PLANNING & DEVELOPMENT
601 MAIN ST. W
ASHLAND, WI 54806

4/11/2023

RE: Notification of a Conditional Use Permit application for a property near your property.

Dear Neighbor,

The City of Ashland is writing to notify you that S.H. Warren LLC has applied for a Conditional Use Permit (CUP) to institute a multi-family dwelling at 208 3rd Ave W, parcel #201-01650-0100, zoned City Center (CC).

The City of Ashland welcomes your input on this CUP, and invites you to appear before the Plan Commission with any comments at the Public Hearing scheduled for **Tuesday, April 25th, 2023 at 6:30 pm** in person at the City Hall Council Chambers or via Go To meeting. You can join the meeting on a computer, smartphone or tablet using the link: <https://meet.goto.com/286404381>. You can also join via phone at United States (Toll Free): 1 866 899 4679 using Access Code: 286-404-381.

If you are unable to attend the meeting, please feel free to send comments or questions to be shared at the public hearing ahead of time to Steven Wiley at 715-685-1610 or swiley@coawi.org, or submit written comments to our office at 601 West Main Street, Ashland, WI, 54806.

Sincerely,

Steven Wiley
Director of Planning & Zoning

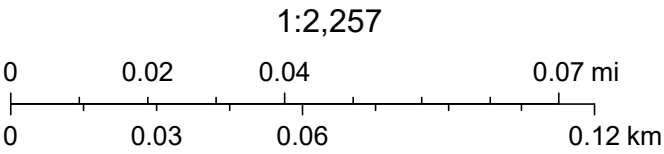
Email: swiley@coawi.org
Phone: 715.685.1610

208 3rd Ave W - CUP Neighbor Letter Range 200ft.



3/28/2023, 2:22:58 PM

- Override 1
- Parcel Mapping
- Parcel Labels



City of Ashland Public Works Department, GIS Division, PICTOMETRY INTL

THE LAKES COMMUNITY
HEALTH CENTER INC

7665 US HWY 2

IRON RIVER, WI 54847

MIDLAND SERVICES, INC

PO BOX 500

ASHLAND, WI 54806

TRIUNE PROPERTIES, INC.

51149 WHITETAIL RD

OSSEO, WI 54758

WEST II BUILDING CORP

214 MAIN ST. W

ASHLAND, WI 54806

CORWIN & CAMILE SATEREN

2805 FELLMAN DR.

ASHLAND, WI 54806

JUDITH L THOMPSON

30810 STATE HWY 137

ASHLAND, WI 54806

FIELDSTONE FORTY, LLC

62675 COUNTY HWY E

MASON, WI 54856