



Planning Commission

Tuesday, June 20, 2023

City Hall Council Chambers – 601 Main St W. Ashland, WI 54806

6:30 PM

Take notice that a meeting of the Planning Commission will be held in- person in the City Hall Council Chambers, with the availability to attend virtually.

To join the meeting from your computer, tablet or smartphone: <https://meet.goto.com/775025133>. Or dial in using your phone. United States (Toll Free): 1 866 899 4679 Access Code: 775-025-133

The following items will be considered:

1. Call to Order and Roll Call

2. Approval of Agenda

3. Consent Agenda

- a. Approval of minutes from the April 25th 2023 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 a transitional housing use at 2300 Lake Shore Dr. W, parcel #201-04746-0000, zoned Regional Commercial (RC) with Waterfront Overlay, Gateway Overlay, and Wetland Overlay. Applicant: Northwest Wisconsin Community Services Agency
- b. Public Hearing and vote on a request for a Conditional Use Permit (CUP) to build an accessory building over 20 feet in height at 709 2nd Ave E, parcel #201-02343-0000, zoned Single & Two-Family Residential (R-2). Applicant: Michelle Kainz
- c. Public Hearing and vote on a request for a Conditional Use Permit (CUP) for an increased sign height and graphic area at 1716 Lake Shore Dr. W, parcel #201-00099-0000, zoned City Center (CC) with Gateway Overlay (GTWY-O). Applicant: Ashland Area Chamber of Commerce
- d. Public Hearing and vote on a request for a Conditional Use Permit (CUP) for a duplex use at parcel #201-00592-0000, zoned Single Family Residential (R-1). Applicant: Debra Eichman
- e. Public Hearing and vote on a request to purchase a piece of City-owned land, a portion of parcel #201-01078-0000. Applicant: Florence Campbell
- f. Public Hearing and vote on a request to rezone parcels #201-04774-0000, #201-04771-0000, #201-04779-2000, #201-04775-0000, & #201-04779-0000 from Future Development (FD) to Residential Estate (R-E). Applicants: BNG Properties LLC &



Paschal and Sharon Hammond.

6. Discussion Items

7. Announcements/Reports/Comments/Questions

8. 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 City of Ashland Planning and Zoning Department at 715 -682-7041.



City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Tuesday, April 25th, 2022 at 6:30 p.m.** in the Ashland City Hall Council Chambers and via GoToMeeting.

Committee Members Present: Mayor MacKenzie, John Beirl, JoAnn Erickson, and Laurie Gregor

Committee Members Absent: David Eades, Jeff Beirl, and Ana Tochtermann

Staff Present: Steven Wiley and Mandelyn Lyons

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 Laurie Gregor.
Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the December 20, 2022 Plan Commission meeting

Motion to approve the minutes from the December 20, 2022 Plan Commission meetings by John Beirl, seconded by Laurie Gregor. Passed unanimously.

3) Public Comment (non-agenda items)

None.

4) 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

Mandelyn Lyons presented the proposed expansion plans and summarized the staff report. She noted the criteria of review for a CUP and noted the Class 2 public hearing notice that has been issued as well as the discretionary letters that were sent to thirteen neighboring properties that were within 200 ft.

Motion to go into the public hearing by JoAnn Erickson, seconded by John Beirl.

Erik Haukaas of 605 9th Ave W commented that he is not supportive of the expansion of the Birth Center due to numerous ambulance visits in which they do not turn off their engines nor their lights. He said that people are outside the facility screaming and yelling at all hours and triggering his motion sensor flood lights. He noted that these are concerns that he brought up at the initial CUP meeting that have not been resolved over the past decade. He finished by saying that there is not enough parking for the facility as well and that the neighborhood is not conducive of this use.

Ed Monroe of 614 10th Ave W commented that he is concerned about the possibility of the clinic adding lighting to the parking lot. He said he is already dealing with lighting problems in the area. He also asked to clarify where the fence and the parking will be.

Lauren Duffy-Pechacek of 601 9th Ave W, submitted their comment in advance and said, she is in support of the birth center and the work they do and that her and her family are comfortable with their plans.

Savita Jones, owner and primary care provider of the Ashland Birth Center, explained the proposal in more detail. She noted the concerns presented by others during the public hearing and stated that there have been few ambulance visits within the last ten years. She clarified that the center is not expanding their services but moving small classes that already occur into a different space, as the classes occur in the current waiting area. She also addressed the lighting concerns, and said that she is not planning on adding additional lighting.

Erik Haukaas of 605 9th Ave W made a second public comment regarding his previously stated concerns.

Mayor MacKenzie asked for more public comments and there were none.

Motion to close the public hearing by JoAnn Erickson, seconded by John Beirl.
Passed unanimously.

Mayor MacKenzie suggested that some concerns brought to the commissions attention during the public hearing could be handled internally. Savita Jones agreed and noted she could add signage to the building concerning noise levels during nighttime hours.

Mayor MacKenzie stated that the City could review their EMS engine idling practices as well.

John Bierl asked staff how many neighbors were contacted via the 200 ft range for discretionary letters. Mayor MacKenzie answered that 13 property owners were contacted. John continued by saying that only having two of thirteen property owners have concerns seems to point to operations being within normal levels. He did continue to say that the concerns from neighbors are valid and wondered if any internal discussion has been attempted to resolve the issues.

Erik Haukaas said that he has been informed that police should handle these complaints and communication between the property owners.

John Bierl clarified that this meeting is not to discontinue the clinic use and that the property owners should internally discuss concerns.

Mayor MacKenzie offered to have a meeting of concerned property owners and the Birth Center to find solutions for the current challenges.

JoAnn Erickson asked who property owners and neighbors contact with noise complaints or similar issues. She also asked who is in charge of holding people accountable for their CUP conditions.

Staff and Mayor MacKenzie answered that the police are the contacts for noise complaints. Steven Wiley responded that staff are in charge of monitoring conditions of a CUP.

JoAnn Erickson asked if the center would have more classes or larger classes if this CUP is approved. She also asked when classes are held.

Savita Jones explained that the class sizes likely would not change however they might offer one additional class once a month. She explained that these classes are usually one day a month and are four hours long. The classes are during normal business hours and they do not anticipate having night classes.

Laurie Gregor asked if the clinic would be expanding their services offered.

Savita Jones explained that they wouldn't be adding any new services but potentially add an extra session of a class that already exists.

Laurie Gregor asked how traffic flows on the property.

Savita Jones explained that the majority of people come in via the main entrance and turn around to exit the same way. There is no signage telling patients to not use the alley but most find it more intuitive to not use it.

Motion for approval of the Conditional Use Permit with conditions by John Beirl, seconded by Laurie Gregor. Passed unanimously.

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.

Steven Wiley presented the proposed plans for the Opera House project and summarized the staff report. He noted that there is an easement that will have to be honored going forward and that the applicant and the holder of the easement are already in communication in regards to changes that should be made. He noted the criteria for review of a CUP and explained the Class 2 public hearing notice that had been issued as well as the discretionary letter that were sent to seven neighboring properties that were within 200 ft.

Motion to go into the public hearing by JoAnn Erickson, seconded by John Beirl.

Tom Trudeau, the lead contractor for the project, explained the project and the restoration of the building. He also explained the current site layout.

Scott Clark, submitted their comment in advance, and said that there is an easement on the

property and that the detached garage and driveway would be within the easement area. He mentioned that snow removal has been difficult in the past.

John Beirl asked if the specifics of the easement are pertinent for the CUP consideration.

Steven Wiley answered that the easement will impact the site layout but the consideration for this evening is the use of the property. He also said that there is communication between the property owners. They will be coming back for a site plan review.

Motion to close the public hearing by John Beirl, seconded by Laurie Gregor.

JoAnn Erickson asked if there will be enough room between the snow storage area and the trash area.

Tom Trudeau answered that there should be.

JoAnn commented that it is great to see that building be restored.

John Beirl noted that he has a conflict of interest and will be abstaining.

Motion for approval of the Conditional Use Permit with conditions by JoAnn Erickson, seconded by Laurie Gregor. Passed, John Beirl abstained.

5) Announcements/Reports/Comments/Questions

Steven Wiley announced that there will be more CUPs presented to the Commission in the upcoming months including one for the second story building adjacent to the existing emergency shelter. He also reiterated that the previously discussed multi-family housing project will be returning the Commission for site plan review and approval. He noted that ordinance text amendments will also be coming to the Commission in the coming months.

Steven continued his update letting the Commission know that the railroad right-of-way for Florence Campbell is also moving forward. However there have been delays due to unforeseen conditions on the site, including easements and access.

Mayor MacKenzie updated the Commission regarding the Housing Committee. He told the Commission that he, along with Steven Wiley, has been re-vamping the committee and that there is a spot for a Planning Commission member. He finished by letting commissioners know that if they are interested they should contact him.

6) Adjournment

Motion to adjourn by JoAnn Erickson. Seconded by John Beirl. Passed unanimously.

Meeting was adjourned at 7:50 pm. Minutes done by Mandelyn Lyons.



DEPARTMENT OF
PLANNING &
DEVELOPMENT
601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – June 20th, 2023

Agenda Item # 5a: Conditional Use Permit Request to allow a Transitional Housing Facility

Zoning District: Regional Commercial with Waterfront Overlay, Gateway Overlay, and Wetland Overlay

Property Address: 2300 Lake Shore Dr. W

Parcel #: # 201-0476-0000

Applicant: Northwest Wisconsin Community Services Agency

Staff Contact: Steven Wiley & Mandelyn Lyons

Background

Northwest Wisconsin Community Services Agency (NWCSA) is requesting a Conditional Use Permit for a Transitional Housing Facility use at 2300 Lake Shore Dr. W. The transitional housing facility would be located in the two-story building adjacent to the existing emergency shelter that was approved by a prior CUP in 2021.

The existing site is 1.81 acres or approximately 78,844 square feet located on the western side of Ashland. The site has one two-story building that blends into the surrounding area. There is a one-story building to the east of the property that houses the existing emergency shelter and another one-story building that currently operates a restaurant. To the west there is a pole barn style building that is currently an auto sales and service area. Across the street is a two-story café. The current building does not look out of place in the area.

The applicant is proposing to renovate the existing two-story building to create 11 apartment style residences and convert the remaining room into a kitchen and laundry area for residents to share. There are minor exterior changes proposed, including reinforcing the existing balcony and leveling the sidewalk.

Transitional housing facilities provide longer term housing for those coming out of emergency situations. Only current residents of the abutting emergency shelter would be able to apply for a spot within the facility, therefore applicants would have already passed an initial background check. Each of the 11 apartments would house one family unit that would be allowed to stay for up to 24 months. Residents of the facility would be required to pay a portion of their income in rent and work with a case manager to establish a housing plan for when they leave.

Existing Land Use	Zoning
Vacant	Regional Commercial (RC) with Waterfront Overlay, Gateway Overlay, and Wetland Overlay

Existing Uses		Zoning
North	Superior Lake Shore & Coffee Shop	Waterfront Commercial (W-C) with Overlays
South	Former Railroad right-of-way, Single & Two family homes	Regional Commercial (R-C) Single & Two Family Res. (R-2)
East	Commercial uses, emergency shelter, hotels/motels	Regional Commercial (R-C) with Overlays
West	Commercial uses, City Park lands	Regional Commercial (R-C), Public Park (PP) with Overlays

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Downtown Core & Commercial District

Site Design and Parking





The above photo is of both the existing emergency shelter and the proposed transitional housing facility. They are in very close proximity, share the same driveway entrance from HWY 2, and are abutting parcels.

There are no proposed changes to the footprint of the existing two-story building on the property. Minor changes will be done to the exterior for safety purposes including re-enforcing the existing balcony and leveling the sidewalk.

Residents will utilize existing parking onsite located in the front of the building and enter the property through a shared driveway with the emergency shelter. Section 6.3 of the UDO outlines the parking requirements for a transitional living facility to be 1 space per employee at maximum shift and 1 visitor space for every 4 residents. Unlike the adjacent emergency shelter there are no staff proposed to be onsite, as the building functions like an apartment building. The site would follow required parking standards.

Landscaping

There are no current plans for landscaping onsite. There is currently a sapling planted in the green space on the side of the building that is not pictured in the aerial.

Lighting

There are no current plans for new lighting onsite.

Standards for Conditional Use Review

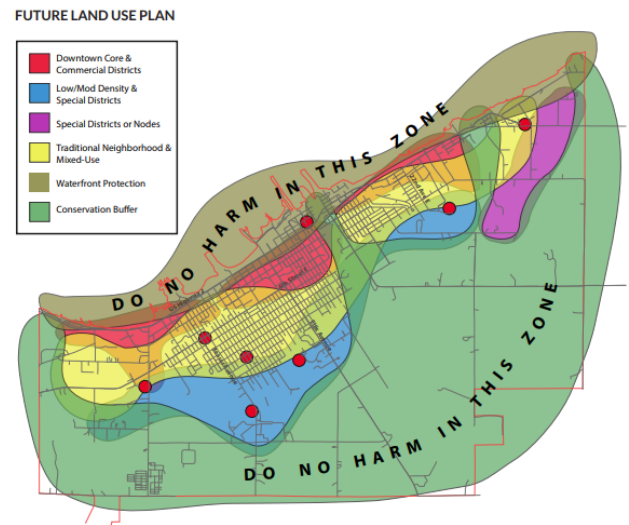
The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used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



1. Consistency with Comprehensive Plan.

The Comprehensive Plan states, “There is also a growing need for transitional housing and services to deal with issues such as homelessness and domestic abuse” (Part Two, page 34). The proposed use is clearly identified within the comprehensive plan as a need for our area and thus is consistent with the City’s goals. The need for supportive housing is also echoed in the 2018 City of Ashland Strategic Housing Plan in which there is a section that recommends the City of Ashland and other authorities to collaborate to research, seek funding, and develop safe and affordable housing including, safe/sober housing, transitional housing, and permanent supporting housing.

The Future Land Use Plan does not explicitly list all the potential land uses that could be included within a district and this was done to allow flexibility. In cases where the Future Land Use Plan does not plainly express whether a use is allowed there is a need to turn to current zoning to determine appropriateness. The Future Land Use Plan does not clearly identify transitional housing as a use but the current Regional Commercial zoning district classifies this use as conditional. Thus, the use can be deemed compatible with conditions.



The Comprehensive Plan also calls for adaptive re-use of existing structures and infill when possible. Remodeling to make this vacant hotel into transitional housing is a reuse that is non-traditional but compatible with the adjacent use as well.

The Comp plan places emphasis on the need for Ashland to have more attractive gateways, “At present, the entryways into the community along Lake Shore Drive are understated at best, completely absent at worst” (Part One, pg. 48). The existing two-story building is vacant and needs extensive interior remodels for it to be operational, which is not creating an ideal or aesthetic entrance on the west side of the City. The proposed facility would remodel the building’s interior, give it a new purpose, and insure that the building does not sit idle or become blighted.

2. Compatibility.

The proposed transitional housing use is distinct from other more commercial or tourism centered businesses in the area, but it does complement the existing emergency shelter use that is adjacent. This site is surrounded by a variety of uses and is separated from the existing neighborhood to the south by wetlands and old railroad right-of-way.

The Comprehensive Plan specifies the need to creatively utilize existing sites and buildings for new needs and services. The building onsite was used as a hotel prior to it being vacant, which indicates that it easily could accommodate multi-family and transitional housing. This site is adjacent to the existing emergency shelter that is being operated by NWCSA thus staff and resources can manage the facility.

3. Importance of Services to the Community.

The need for transitional housing has been identified in both the Comprehensive Plan and the 2018 Strategic Housing Plan. Transitional housing facilities play a crucial role in supporting individuals and families who are experiencing homelessness. Facilities like these provide longer term housing options where residents are safe and able to access resources and services to help find permanent housing.

4. Neighborhood Protections.

The applicant is already operating the adjacent emergency shelter facility and operates several other facilities in the northern Wisconsin area. The transitional housing program that is proposed

by the applicant would only accept residents from the emergency shelter who have already passed an initial background check. Residents at the emergency shelter have to meet eligibility criteria to stay at the shelter and it would be no different for the transitional housing program. Each household or individual that will stay at the transitional housing facility will continue to work with a case manager. Residents will have their own apartment style unit and be responsible for rent based on a portion of their income.

5. Conformance with Other Requirements:

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

- Building codes, property maintenance ordinance, and all applicable sections of the Unified Development Ordinance.

Review Recommendation

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

- No outdoor camping or other forms of occupation shall be allowed on the premises.
- The applicant shall obtain all necessary building permits for the proposed project.
- The building and grounds shall be maintained by the property owner or designated agent.
- Applicant shall work with residents and City staff to ensure that no inoperable vehicles, unlicensed vehicles, vehicles with expired registrations, or other items are stored in public view or within view of neighboring properties.
- An increase in intensity of the use or an expansion of the use must be approved by the Planning Commission and Common Council.
- If any changes in lighting are proposed a lighting plan must be submitted to the Planning & Zoning Department.

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 June 6th & June 13th and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development as well as residences to the south of the property on the north side of Prentice Heights Rd.

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.

Northwest Wisconsin Community Services Agency, Inc.

SERVING THE COUNTIES OF ASHLAND, BAYFIELD, DOUGLAS, IRON AND PRICE

ADMINISTRATIVE OFFICE
1118 TOWER AVENUE
SUPERIOR, WISCONSIN 54880
Phone: 715-392-5127
Fax: 715-392-5511
www.Northwest-CSA.org



Millie Rounsville, *Chief Executive Officer*

Re: Request for Conditional Use Permit to operate a Transitional Housing Program at 2300 Lake Shore Drive W, Ashland

The Northwest Wisconsin Community Services, Inc. ("NWCSA") is requesting a Conditional Use Permit from the City of Ashland to utilize the 2-story; 12-unit structure as a transitional housing program.

The Northwest Wisconsin Community Services Inc. (NWCSA) is a private non-profit organization that was incorporated in May of 1967 as a result of the Economic Opportunity Action. As a Community Action agency we are governed by a tripartite Board of Directors representing low-income, formerly homeless, community members and elected officials living in the communities we serve. The mission of NWCSA is to improve the quality of life by providing resources and services within our community. NWCSA works towards its mission by providing a wide array of program and services with its 5-county services delivery area in Northwestern Wisconsin.

Some of the programs currently administered through NWCSA include: Supportive Housing, Affordable Housing, Emergency Shelter Programs, Crisis Assistance, Lew Martin Senior Center, WIC, Birth to 3, Adult day care, food bank, food pantries, Retired and Senior Volunteer Program, VITA assistance sites, senior commodities, rapid re-housing and scholarship applications for local non-profit services. As an organization we provide services to over 10,000 individuals each year. We have maintained primary offices in both Superior and Ashland since our inception.

Within our service area our organization is the only federally funded homeless provider (we do sub-contract dollars to New Day Advocacy Center) and the organization that operates the Coordinated Entry System. Coordinated Entry is a no wrong door approach with a dedicated staff position that works to connect homeless and at risk- of homeless households to services. We have been actively working with landlords in our area for over 30 years providing rental assistance programs. Specific to homeless households we currently operate hotel voucher programs, tenant based rental assistance, permanent supportive and rapid re-housing for the entire service area, two homeless shelters and a transitional living program for men in Superior.

In the four rural counties NWCSA had traditionally offered hotel vouchers for homeless households with no other options for shelter. In partnership with the City of Ashland our organization was successful in purchasing the former Ashland Motel in September of 2021. This facility opened as an emergency shelter in January of 2022.

The purpose of this project is to continue to build upon our work locally. Our board felt that the 21 units of emergency shelter currently operating is adequate to meet the needs. Our January overnight street county only identified 2 persons as unsheltered. Prior years that total has been as high as 36. What is needed is a longer-term program, in this case up to 24 months, to allow the households currently in the shelter more time to address barriers and continue to work on their goals. Ultimately completing the program and exiting in permanent housing. This also will “free up” shelter space for others experiencing homelessness that are in the need of services.

The 2-story building itself will not physically change on the exterior other than reinforcing the balcony posts and leveling the existing sidewalk. Of the 12 rooms, 11 will remain as they are. The 12th room will be remodeled to include a kitchen, laundry room and possible boiler room that would provide shared access to the 11 households.

Each of these households will have a lease and program service agreement. Unlike the shelter project these individuals will have their own key to their unit similar to being in an apartment. Each household will need pay a portion of their income for rent and meet with a case manager to continue working towards their established goals related to meeting their household needs, increasing income and obtaining affordable housing.

When there is an opening in the transitional housing program only those currently residing at the Ashland Community Shelter will be considered. We will utilize Coordinated Entry to prioritize as we do with enrollments for our scattered site supportive housing programs. The rationale for utilizing Coordinated Entry is that this system is already in place and when there is more than one eligible household eligible the household with the longest time homeless and highest barriers are prioritized first. The list is generated in order and staff simply “work the list” from the top down. The reason for only enrolling from the Ashland Community Shelter is 2-fold. The first is that we want to provide an opportunity for success for those we have been working with. These households have met the established screening criteria for the shelter, have been actively working on their goals and housing stability plans and in most cases simply just need more time than the short-term shelter stay can provide to get back on their feet. The 2nd reason is local support. Rather than enrolling households from any shelter in WI or even within in our service area we want to continue to build upon the system we have started at the shelter with the continued goals of increasing income, connecting to mainstream resources and exiting to permanent housing of their own.

2300 Lake Shore Dr. W



6/14/2023, 8:42:02 AM

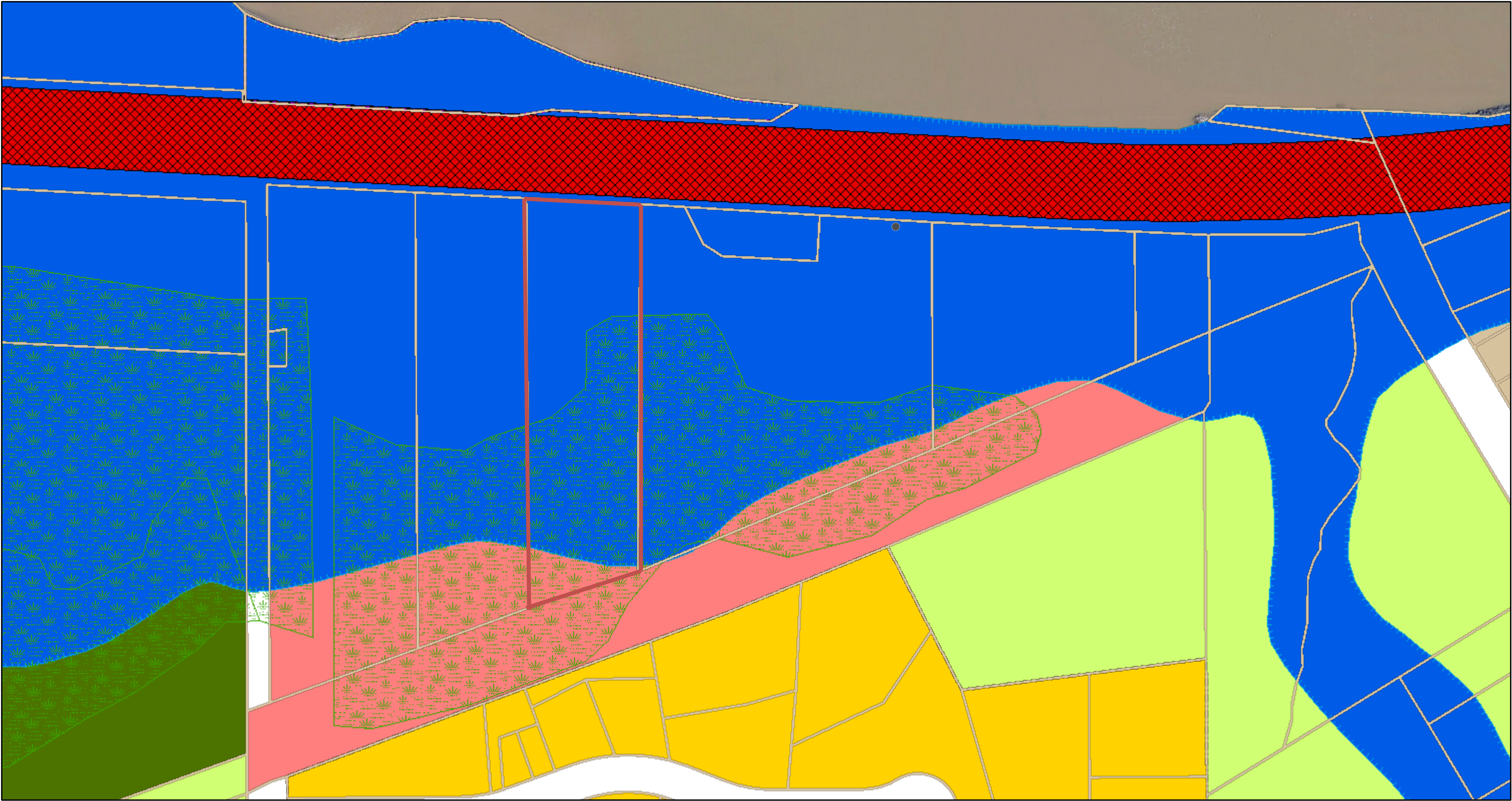
— Override 1
 — Parcels

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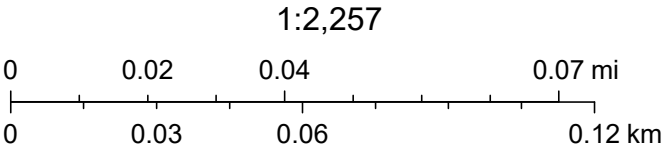
City of Ashland Public Works Department, GIS Division,
 PICTOMETRY INTL

2300 Lake Shore Dr. W - Zoning



6/14/2023, 8:42:44 AM

- | | | | |
|-----------------------------|--|-------------------------------|------------------------------|
| — Override 1 | ■ R-2
Single & Two-Family Residential | ■ W-C, Waterfront Commercial | --- Planned Unit Development |
| ▭ Parcels | ■ R-4
High Density Residential | ■ PP, Public Park | ■ Gateway Overlay District |
| Zoning | ■ MRC
Mixed Residential/Commercial | — ROW, Right of Way | ■ Wetland Overlay |
| ■ R-E
Residential Estate | ■ RC, Regional Commercial | UDO Overlay Districts | ■ Floodplain Overlay |
| | | ▭ Waterfront Overlay District | |



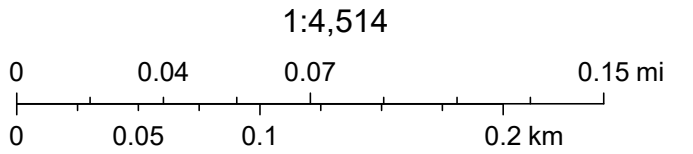
City of Ashland Public Works Department, GIS Division, City of Ashland Public Works and Planning Department, PICTOMETRY INTL

CUP Letter Range - NWCSA



5/31/2023, 11:02:27 AM

- Override 1
- Parcels



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

6/6/2023

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 Northwest Wisconsin Community Services Agency has applied for a Conditional Use Permit (CUP) for a transitional housing use at 2300 Lake Shore Dr. W, parcel #201-04746-0000, zoned Regional Commercial (RC) with Waterfront Overlay, Gateway Overlay, and Wetland Overlay.

The proposed housing facility will be operated within the old second story motel building that is adjacent to the emergency shelter. The transitional housing program being proposed will only service those who have been at the adjacent emergency shelter. Everyone that would enter the transitional housing program will have passed an initial background check upon entering the emergency shelter and will have to work with a case worker during their time.

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, June 20th, 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/775025133>. You can also join via phone at United States (Toll Free): 1 866 899 4679 using Access Code: 775-025-133.

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.

NWCSA NEIGHBOR LETTER ADDRESSES

LINDA K SAETRE

109 PRENTICE HEIGHTS RD

ASHLAND, WI 54806

KEVIN N KEGEL IRREVOCABLE INCOME ONLY
TRUST

221 PRENTICE HEIGHTS RD

ASHLAND, WI 54806

MEEGAN A GOSSELINE

223 PRENTICE HEIGHTS RD

ASHLAND, WI 54806

TERESE M MAZNIO

111 PRENTICE HEIGHTS RD

ASHLAND, WI 54806

WILLIAM & BRENDA JOHSON JOINT INCOME
ONLY TRUST

321 PRENTICE HEIGHTS RD

ASHLAND, WI 54806

MICHAEL & CAROL POLICH TRUST

501 PRENTICE HEIGHTS RD

ASHLAND, WI 54806

BRETT & GINA BEEKSMA

PO BOX 942

ASHLAND, WI 54806

PRENTICE INC.

PO BOX 233

ASHLAND, WI 54806

STANLEY C SCHROCK & RAQUEL L EBBE

123 22ND AVE W

ASHLAND, WI 54806

BLUE WAVE PROPERTIES LLC

PO BOX 22

ASHLAND, WI 54806

LAWRENCE E CICERO

65736 LAKE PARK RD

ASHLAND, WI 54806

P.R. MEDIA INC C/O FIRST & FIRST LLC

3300 5TH ST NE

MINNEAPOLIS, MN 55418

CALLAE K HYDE

2220 LAKE SHORE DR. W

ASHLAND, WI 54806

WHISPERING PINES OF ASHLAND INC

2502 LAKE SHORE DR W

ASHLAND, WI 54806



DEPARTMENT OF
PLANNING &
DEVELOPMENT
601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – June 20th, 2023

Agenda Item # 5b: Conditional Use Permit Request to allow a 24' Tall Accessory Building

Zoning District: Single & Two-Family Residential (R-2)
Property Address: 709 2nd Ave E
Parcel #: # 201-02343-0000
Applicant: Michelle Kainz
Staff Contact: Steven Wiley & Mandelyn Lyons

Background

Michelle Kainz is requesting a Conditional Use Permit (CUP) to allow construction of a 24' tall accessory building at 709 2nd Ave E, zoned Single & Two Family Residential. UDO Section 5.6 (A., 7) regulates the height of accessory structures and states that no accessory building shall exceed 20' in height without a CUP. Per UDO standards the height of a building is measured from grade to the peak of a roof, in this case grade to gable.

The applicant's property is 0.161 acres (approximately 7,013 square feet). Existing on the property currently is a single-family two-story home with an attached garage. Vehicular access is via the alley in the rear of the property. The majority of surrounding homes are two-story and many have detached accessory structures on the alley side of their properties. Most of the detached accessory buildings in the area have a gabled roof consistent with what the applicant is proposing.

The applicant is requesting the increase in height for storage purposes and for an area to use as a crafting space. There is no intention of the second story of the structure to become a residence, and there is already a home on the property. The existing garage on the property will be demolished to make room for a new deck. A demolition permit for the existing garage was issued May 8, 2023.

The proposed garage will be 24' tall and adjacent to the alley at the rear property line of the home. This building will have a gable style roof, a garage door, and a main access door, and windows on the first and second story.

Existing Land Use	Zoning
Single Family Home	Single & Two-Family Residential (R-2)

Existing Uses		Zoning
North	Single & Two Family Homes and a Religious Institution	Single & Two Family Res. R-2 And Neighborhood Convenience (NC)
South	Single & Two Family Homes	Single & Two Family Res. (R-2)
East	Single & Two Family Homes	Single & Two Family Res. (R-2)
West	Single & Two Family Homes	Single & Two Family Res. (R-2)

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



Pictures are described from left to right. The first picture is a view of the alley if you enter from 7th St. E facing south. The second and third pictures are views from the alley entered from 8th St. E and looking north.

Site Design and Parking



The applicant is proposing to demolish the existing attached garage on the house to make room for a deck. The new 24'x28' garage would be on the northwest side of the property with the garage door facing towards the south. The driveway would be curved and meet the garage door entrance. The proposed siding material is LP Smart wood siding which is an allowable material for accessory buildings.





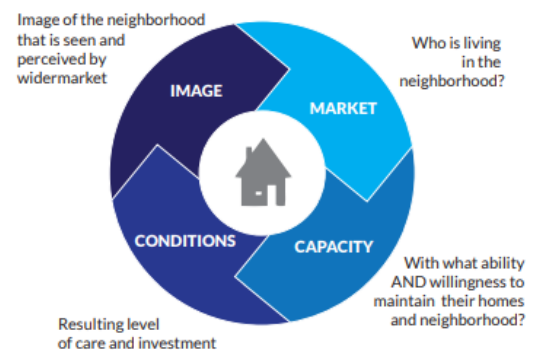
Standards for Conditional Use Review

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.

There are no specific goals within the Comprehensive Plan that address accessory structures. However, the Comprehensive Plan places emphasis on resolving concerns about neighborhood values and aesthetics. One of the goals outlined by the Comp Plan is to reinvest in existing neighborhoods and utilizing spaces for maximum impact. This new construction will add value to the applicant's property and improve the overall look of the area. This improvement in turn could influence others in the area to make similar improvements, which is consistent with the cycle of investment and disinvestment that is discussed within the Comprehensive Plan.

czb Cycle of Neighborhood Investment and Disinvestment

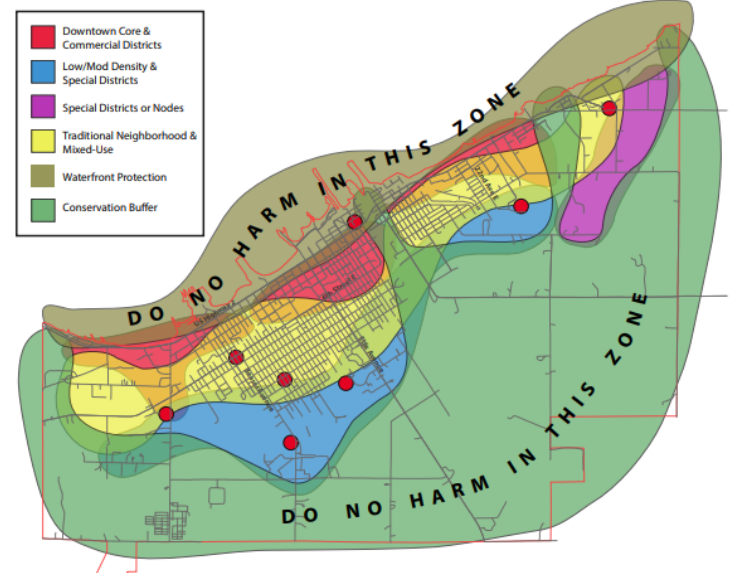


This use is consistent with the Future Land Use Plan, as the property will be within the Traditional Neighborhood & Mixed-Use districts. Acceptable uses within these districts would be, single family homes, two-family homes, and small-scale commercial uses all of which would allow an accessory structure similar to what is being proposed.

2. Compatibility.

The proposed accessory structure is compatible with the existing uses in the neighborhood. The maximum principal structure height allowed in this zoning district is 35ft. and the proposed accessory structure is over 10 ft. under that height limit. The majority of homes on this block are two-story and thus the extended height of the accessory building would not look out of place and likely will not be seen from the front property line since the proposed location is in line with the existing home. Other residences in the area have accessory structures in the form of sheds or garages that look similar to what the applicant is proposing.

FUTURE LAND USE PLAN



3. Importance of Services to the Community.

Increasing the height of an accessory structure for an individual property does not directly benefit the community. However, this building will add value to the applicant's property and the new building will increase the aesthetic value of the area.

4. Neighborhood Protections.

The applicant will be required to follow building code and all applicable standards within the UDO for accessory structures and driveways. One potential concern is a loss of daylight due to the extended height of the structure. Comments from neighbors and the public should be considered for this project.

5. Conformance with Other Requirements:

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

- The project must comply with all building codes and applicable UDO Sections
- Maximum 35% building coverage limit
- Maximum 40% impervious coverage limit
- Accessory building interior and rear setbacks per UDO Section 5.6:
 - 3 ft. from interior side parcel lines
 - 5 ft. from an alley
 - 6 ft. from the principal structure

Review Recommendation

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

- The building shall be for personal use only, renting out storage is not an allowable use.
- The building shall not be used as a residence (accessory dwelling unit) unless permitted by another Conditional Use Permit.
- The height of the garage shall not exceed 24 ft.
- The applicant shall obtain all necessary building permits for the proposed project.
- The applicant shall submit a revised site plan showing garage dimensions and setbacks from property lines.

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 June 6th & June 13th and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

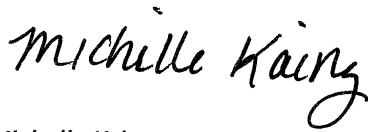
Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

May 5, 2023

To Whom It May Concern,

I own the property at 709 2nd Avenue East in Ashland and have been at this location for about 9 years. I am interested in removing my current attached garage to allow space for a deck, and building a new garage adjacent to the alley. I hope to have an attic space in the 2nd floor of the garage, and plans to allow this 2nd floor require a garage height of approximately 24 feet (23-25 in estimation). Due to this, I am asking for a variance from the 20-foot height requirement.

Thank you for your consideration of this request, and let me know if there any other specific questions that I can answer.

A handwritten signature in black ink that reads "Michelle Kainz". The script is cursive and fluid, with the first name "Michelle" and last name "Kainz" clearly legible.

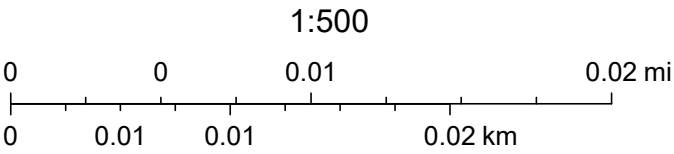
Michelle Kainz

709 2nd Ave E - Kainz



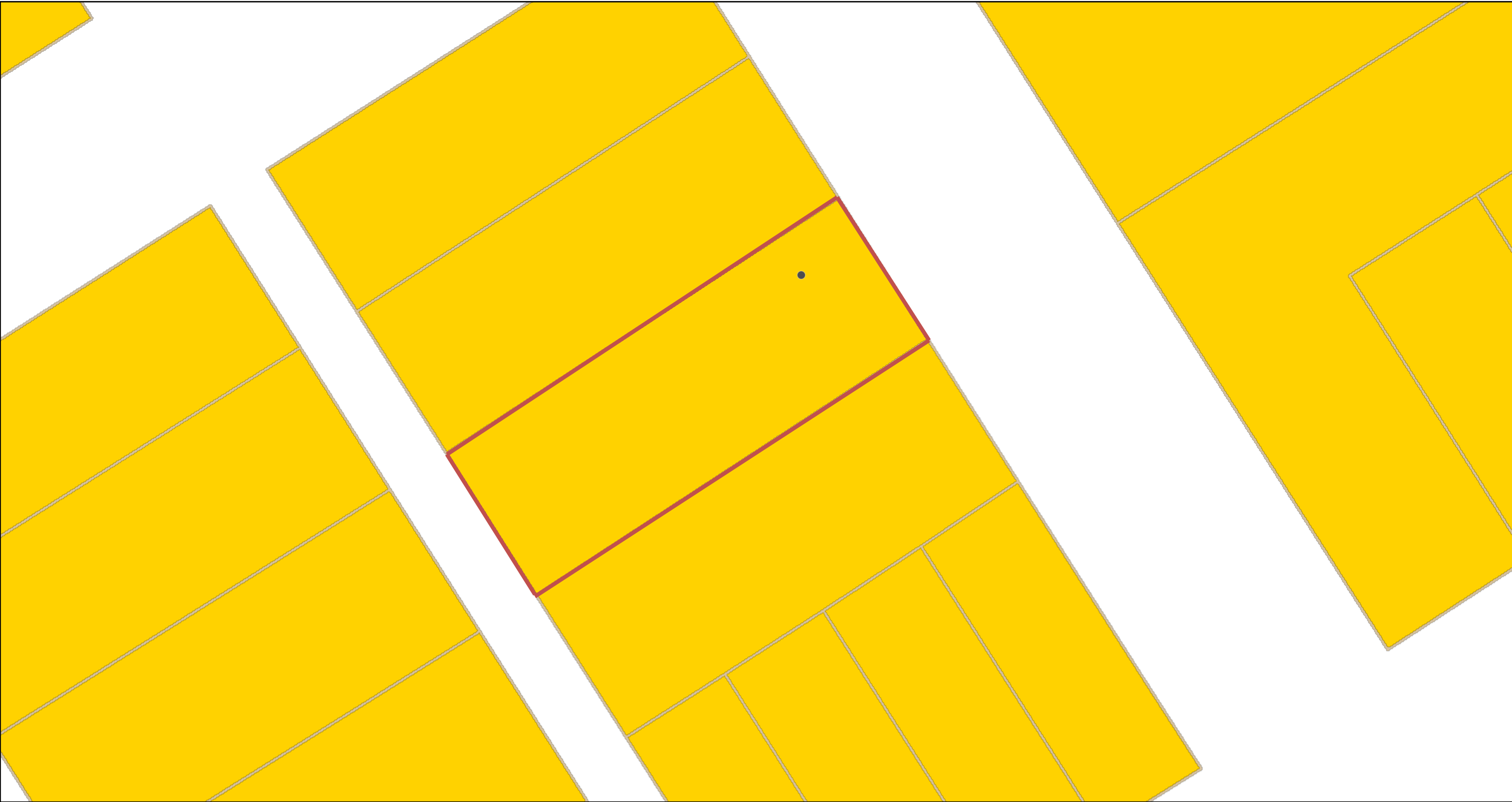
6/14/2023, 8:46:13 AM

 Parcels



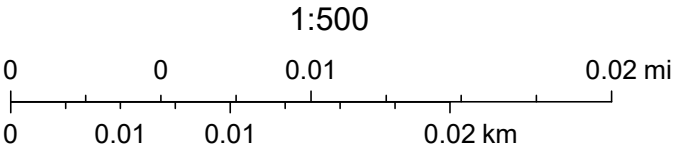
City of Ashland Public Works Department, GIS Division,
PICTOMETRY INTL

709 2nd Ave E - Kainz Zoning



6/14/2023, 8:47:32 AM

- Override 1
- Parcels
- Zoning
 - R-2, Single & Two-Family Residential
 - ROW, Right of Way



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

NORTHWEST WI COMMUNITY SERVICES
AGENCY

1118 TOWER AVE
SUPERIOR, WI 54880

W. TODD & ANN DRYER
200 7TH ST E
ASHLAND, WI 54806

MATTHEW JOSEPH FILIPEK
201 8TH ST E
ASHLAND, WI 54806

GERALD & MERRILEE CARLSON
2175 HARIET ST
PORT CHARLOTTE, FL 33952-5510

BELL FAMILY CABIN, LLC
7051 E LAKE BLVD
LAKE NEBAGAMON, WI 54849

LANDMARK REAL ESTATE MANAGEMENT, LLC
PO BOX 816
ASHLAND, WI 54806

ALEXANDER & BETSY WESTLUND
113 8TH ST E
ASHLAND, WI 54806

REYNOLDS TRUST
715 2ND AVE E
ASHLAND, WI 54806

JOYCE E POPPE
19040 US HWY 2
ASHLAND, WI 54806

JOANNE MALMBERG REV LIVING TRUST
724 ELLIS AVE
ASHLAND, WI 54806

CLARE LOUISE MAXWELL
1136 EAGLE ST.
ANCHORAGE, AK 99501

BUNCH PROPERTY MANAGEMENT, LLC
103 ASPEN PLACE
NORTH WALES, PA 19454

CHARLES ORTMAN
708 ELLIS AVE
ASHLAND, WI 54806

MICHAELA ROSE CARLSON
700 ELLIS AVE
ASHLAND, WI 54806

MARK & KAREN HOGLUND

49244 STATE HWY 13 S

ASHLAND, WI 54806

KEVIN MEREDITH C/O ROBERT MEREDITH

707 2ND AVE E

ASHLAND, WI 54806



The CITY of
ASHLAND
WISCONSIN

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

6/6/2023

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 Michelle Kainz has applied for a Conditional Use Permit (CUP) to construct a 24' tall accessory building at 709 2nd Ave E, parcel #201-02343-0000, zoned Single & Two Family Residential (R-2). This exceeds the 20' maximum height for accessory buildings.

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, June 20th, 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/775025133>. You can also join via phone at United States (Toll Free): 1 866 899 4679 using Access Code: 775-025-133.

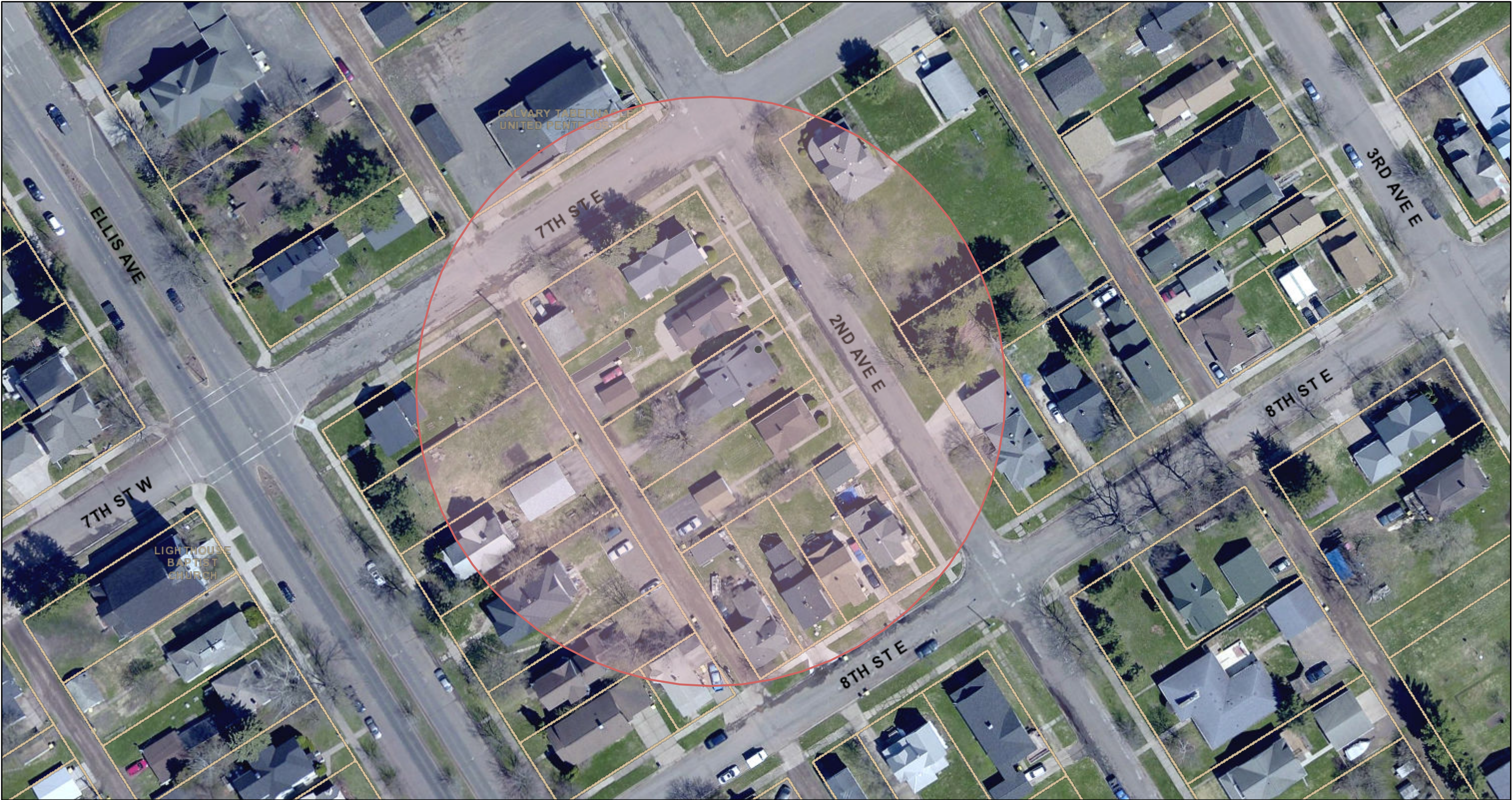
If you are unable to attend the meeting, please feel free to send comments or questions to be shared at the public hearing ahead of time to Steven Wiley at 715-685-1610 or swiley@coawi.org, or submit written comments to our office at 601 West Main Street, Ashland, WI, 54806.

Sincerely,

Steven Wiley
Director of Planning & Zoning

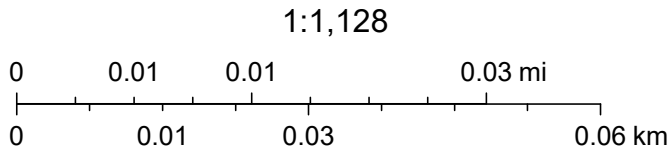
Email: swiley@coawi.org
Phone: 715.685.1610.

709 2nd Ave E - Neighbor Letter Range



6/2/2023, 12:38:43 PM

-  Override 1
-  Parcels



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



DEPARTMENT OF
PLANNING &
DEVELOPMENT
601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – June 20th, 2023

Agenda Item # 5c: Conditional Use Permit Request to allow for increased sign height and graphic area

Zoning District: City Center (CC) with Gateway Overlay (GTWY-O)

Property Address: 1716 Lake Shore Dr. W

Parcel #: # 201-00099-0000

Applicant: Ashland Area Chamber of Commerce

Staff Contact: Steven Wiley & Mandelyn Lyons

Background

The Ashland Area Chamber of Commerce is requesting a Conditional Use Permit to increase both the allowable height and graphic area of a freestanding sign in the City Center zoning district. The applicant is proposing to install a freestanding, internally illuminated, 305" (~25.42') tall sign with a graphic area of 84 square feet. The proposed signage would utilize the existing pole, cabinet, and foundation onsite and add the EMC portion underneath the sign face.

Currently the UDO Section 6.6 L., 3., a., permits one freestanding sign per primary vehicle entrance. Parcels that abut Highway 2 are required to maintain a 6-foot setback from the property line for freestanding signs. The maximum sign copy/graphic area allowed is 32 square feet and 75 square feet if the sign is adjacent to US Hwy 2. The maximum height for this area is 20' which includes the sign structure. EMCs or Electronic Message Centers are allowed but must follow code requirements including the use of dimmable technology, timers, and graphic changing time limits.

The Chamber's current sign height is 305" or approximately 25.42' which does not meet current code, and makes the sign nonconforming. The sign onsite currently is just the top cabinet in which the applicant plans to reuse, which is roughly 49 square feet in size, which is in conformance with current code.

Existing Land Use	Zoning
Ashland Area Chamber of Commerce Building	City Center (CC) with Gateway Overlay (GTWY-O)

Existing Uses		Zoning
North	Superior Lake Shore & Waterfront Trail	Waterfront Public/Institutional (W-PI) with Waterfront Overlay
South	Single Family home & various commercial uses	City Center (CC) & Mixed Commercial/Industrial (MCI)
East	Lakeside Motel & Single-Family homes	City Center (CC)
West	Kwik Trip Gas Station	Mixed Commercial/Industrial (MCI)

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

Site Design

The current Ashland Area Chamber of Commerce sign is located at the corner of their main building and does currently meet the required 6 ft. setback from their parcel line. The current sign does not meet current code and is considered non-conforming due to its height of 305" (~25.42'). The red dot on the aerial map below indicates where the existing sign is on the site. The proposed sign will be along US Hwy 2 within the Gateway Overlay area. This sign is located at their one primary vehicular entrance and the location will not change. The applicant plans to use the existing foundation, pole, and cabinet for this project which will include the addition of the EMC, widening of the structure, and a face change for the sign area.



Design is provided by Glenn Wegner at Signature Signs in Butternut, WI

Landscaping

There are no proposed changes to the landscaping onsite. Staff is requiring landscaping at the base of the sign as required per UDO Section 6.6 F., 3., d. which reads,

"Freestanding signs shall provide an attractive landscaped area around the entire base of the sign to complement the sign. The property owner shall be responsible for the maintenance of the landscaping."

If there is not enough space for landscaping around the base of the sign an equivalent amount will be required in another area onsite. Due to the proximity of the right-of-way the use of salt tolerant and native landscaping is recommended. A landscaping plan must be submitted to the Planning Department prior to issuance of the sign permit.

Lighting

The proposed sign will be internally illuminated and have an EMC component below which is allowable. There are several internally illuminated signs and structures in the area including Kwik Trip, the Lakeside Motel, and the Super 8 Hotel, so an illuminated sign will not look out of place in the area.

The EMC area of the sign is proposed to be 52" tall by 97" wide which is approximately 35 square feet in area. EMCs in any area are required to follow UDO Section 6.6 F., 2. which includes the following specifications:

1. *Dimmable technology shall be installed and utilized to adjust the light output of the EMC based on the ambient light such that it dims automatically when it is less bright outside.*
2. *EMC signage for all parcels must be turned off between the hours of 8 p.m. and 7 a.m. If a business is staffed and open before or after that time period, the EMC signage must be turned off no later than sixty (60) minutes after close of the business for the day and turned back on no earlier than sixty (60) minutes before the business opens for the day.*
3. *Signage on parcels abutting residential properties or separated by a Right-of-Way shall be designed and located in such a manner that does not create an adverse residential nuisance, taking into account brightness, direction, location, or other factors.*
4. *The sign shall be located and designed so that it does not significantly alter or obstruct Lake Superior vistas of adjacent property owners and for major view corridors.*
5. *The time change of copy, messages or graphics on an animated sign shall not change more than once every eight (8) seconds, except that all signs within view of vehicular or pedestrian safety lighting (such as stop lights) shall not change more than once every one (1) minute.*
6. *Within view of safety lighting, colors or shapes shall not be used that could be confused for safety lighting.*

The EMC sign is located within 400 feet of Sanborn Ave where traffic is controlled via stoplights, but it is not expected to interfere with traffic. Staff still will recommend that the applicant not use shapes or colors that could be confused for safety lighting. The applicant will also need to provide the Planning Department with full specs for the EMC to confirm that it meets the above standards.

Standards for Conditional Use Review

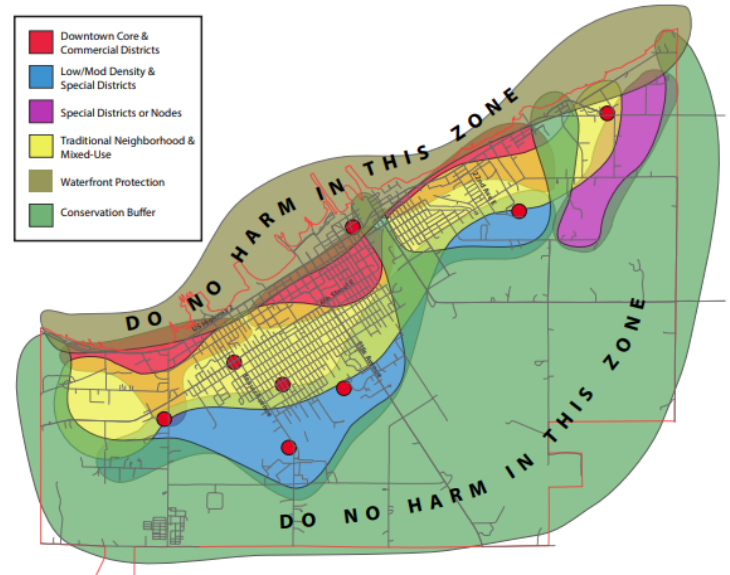
The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used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

1. Consistency with Comprehensive Plan.

The Comprehensive Plan does not have specific language relating to signage, but there are specific goals related to the gateway. The Comprehensive Plan indicates that the current gateway areas are, "understated at best, completely absent at worst" (pg. 48) which identifies the need to make the area more

aesthetically pleasing and orient travelers towards our commercial nodes. An improved sign would help travelers know that they have entered the City and direct them to the chamber for more information about the area. Refurbishing the sign structure is an improvement consistent

FUTURE LAND USE PLAN



with beautifying the gateway area. The applicant has indicated that the EMC will advertise local events which will also help with tourism in the area.

Refurbishing the sign could be consistent with the goals in the Comprehensive Plan relating to beautification of the gateway area. However, the need for a sign of the proposed graphic area (84 square feet) has not been clearly identified. The UDO has language regarding size increases for freestanding signs that are alongside Lake Shore Dr./US Hwy 2:

“The maximum sign copy and graphic area shall not exceed thirty-two (32) square feet at any vehicular entrance; signs on parcels abutting Lake Shore Drive (US Hwy 2) shall not exceed seventy-five (75) square feet at any vehicular entrance;”

Given that there is already an exception to the maximum allowed graphic area alongside the highway, the applicant needs to provide a clear reason or reasons that would justify a sign with a graphic area of more than 75 square feet. The intent of the existing sign ordinance is to allow visibility along a prominent corridor/gateway while balancing the need of the community to minimize sign clutter.

The Future Land Use Plan indicates that this area will be Downtown Core & Commercial Districts. Since the area will continue to be commercial it is acceptable to permit signs for those uses that fit within the code.

2. Compatibility.

The proposed sign is not compatible with current codes and is thus considered a non-conforming sign. According to Section 10.6 C., describes the criteria in which a sign loses its legal nonconforming status,

1. *The sign is structurally altered in any way, except for normal maintenance and repair, that increases the nonconformity.*
2. *The sign is relocated.*
3. *The sign fails to comply with the provisions of this Ordinance relating to maintenance, repair, abandonment, or dangerous or defective signs.*

The addition of the EMC onto the sign and the addition of the structure around the pole is considered an alteration in which the sign would lose legal nonconforming status. Section 10.6 B., 2., confirms that the sign with the addition of the EMC will have to conform to current code,

“Alterations involving a change in the information on the face of a sign may be made to an existing nonconforming sign if the change does not increase the area of the sign or the sign’s compatibility with properties in the area. However, any nonconforming sign shall either be eliminated or made to conform to the provisions of this Ordinance if an alteration, modification, or improvement to the sign exceeds fifty (50) percent of the cost of installing a new sign of the same type and at the same location. It shall not be reestablished after damage or destruction by natural causes if the Zoning Administrator or Designated Authorized Agent determines that the estimated cost of construction exceeds fifty (50) percent of the estimated replacement cost.”

Any changes to the sign structure other than a simple face replacement of sign copy would cause the sign to lose its nonconforming status. This would require the applicant to bring the sign into compliance with current code (example reducing the pole height). Staff is of the opinion that allowing the applicant to use the existing pole and pole height, adding the proposed EMC, and reducing the existing sign cabinet to ensure that the cabinet and EMC area combined do not exceed 75 square feet is a reasonable accommodation.

3. Importance of Services to the Community.

The Ashland Area Chamber of Commerce serves the Ashland community in a variety of ways, from planning events to supporting local businesses they provide valuable services to our area. The Chamber's importance to the community is clear, however the importance of a sign that exceeds an already increased square footage maximum is harder to ascertain.

Improving the appearance of an existing sign within the gateway does align with the Comprehensive Plan's goals to make the area more pleasing. However, the question that is posed to the Planning Commission and Planning Staff is whether the aesthetics of the sign as proposed are beneficial or detrimental to the corridor. Refurbishing the sign could have a benefit aesthetically but the proposed increase in area over the maximum allowed by code would add to sign clutter along the corridor. Staff supports allowing the EMC and refurbishing of the existing sign with the condition that the applicant reduce the cabinet size to ensure compliance with the 75 square foot area maximum (between the sign cabinet and EMC together).

4. Neighborhood Protections.

The proposed sign is not expected to cause issues within the area or on traffic with the proposed conditions. The main concern is with adding sign clutter to the area if the 84 square foot area is permitted.

5. Conformance with Other Requirements:

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

- Standards for EMC signage per UDO Section 6.6
- Standards for freestanding signs per UDO Section 6.6
- All other applicable codes for the proposed project
- Conformance with any requirements from the State or the Highway Department

Review Recommendation

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

- The applicant may utilize the existing pole and stay at a height of 305" or less but must conform to the 75 square foot maximum graphic area for both the internally lit cabinet and the EMC.
- The applicant will provide landscaping around the base of the sign or an equivalent amount in another area. A landscaping plan will be provided for staff review prior to the issuance of a Sign Permit.
- Applicant shall add sign cabinet and EMC dimensions, and height dimensions to the sign proof and ensure the proof is to scale. Applicant shall submit the revised sign proof for staff review prior to issuance of a sign permit.
- The applicant will submit full specifications of the EMC to confirm that it meets code standards prior to issuance of a sign permit.
- A Sign Permit will be obtained prior to installation.
- EMC sign must be turned off between the hours of 8 p.m. and 7 a.m. If a business is staffed and open before or after that time period, the EMC sign must be turned off no later than sixty (60)

minutes after close of the business for the day and turned back on no earlier than sixty (60) minutes before the business opens for the day.

- The applicant will confirm that the proposed sign does not require permits from the State.
- Any future changes to the sign will be reviewed by the Planning Department and potentially the Planning Commission if needed.

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 June 6th & June 13th 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.

Find yourself next to the water.



visitashland.com WISCONSIN

May 9, 2023

City of Ashland Planning & Development
601 W. Main Street
Ashland, WI 54806

Dear Planning Department;

First, I would like to apologize for not obtaining permission for this sign in advance of ordering it, I thought we had the permitting finished and we did not.

I am writing to request a Conditional Use Permit for a new sign we have in place of our existing old sign. This sign will have the capability of digital messages similar to McDonalds, Little Caesars, and Our Lady of the Lake Church. The Sign will allow us to promote the City of Ashland events to our local residents and out of towners. Our first priority at the Ashland Chamber is to sell Ashland to out of town travelers, and create economic impact with fresh dollars that are from outside the Ashland Area. Traffic moves extremely fast by the chamber office as they are just starting to slow down from the 45- mph area west of Sanborn. The sing we have now is actually hard to see and has our old logo on it.

The new sign has our new logo on it and again, the capability of messaging information to travelers. The new sign is 84 sq ft. verses 75 sq. ft. and 20ft height verses 25.42 ft.

Thank you for your consideration of this sign to promote the city of Ashland to an average of 140,000 cars per day. Please feel free to contact myself or Glenn Wegner with signature signs with any questions.

Sincerely,

Mary McPhetridge, Executive Director info@visitashland.com 715-682-2500

Cc: Glenn Wegner – Signature Sign Glenn@SignatureSignWI.com 715-769-3200

Ashland Area Chamber of Commerce ~ P.O. Box 746 ~ Ashland, WI 54806 ~ www.visitashland.com



The CITY of
ASHLAND
WISCONSIN

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

6/6/2023

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 Area Chamber of Commerce has applied for a Conditional Use Permit (CUP) to construct a freestanding sign that exceeds the maximum sign height and graphic area at 1716 Lake Shore Dr. W, parcel #201-00099-0000, zoned City Center (CC) with Gateway Overlay (GTWY-O).

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, June 20th, 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/775025133>. You can also join via phone at United States (Toll Free): 1 866 899 4679 using Access Code: 775-025-133.

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.

KWIK TRIP, INC
1626 OAK ST
LACROSSE, WI 54603

WEST END BODY SHOP, LLC
1721 MAIN ST W
ASHLAND, WI 54806

KEN & JULIE ARBUCKLE
1705 MAIN ST W
ASHLAND, WI 54806

LYNN PLUCINSKI
1703 MAIN ST W
ASHLAND, WI 54806

TAMMY ROGERS
1701 MAIN ST W
ASHLAND, WI 54806

CARL & ELEANOR SMITH JOINT INCOME ONLY TRUST
107 17TH AVE W
ASHLAND, WI 54806

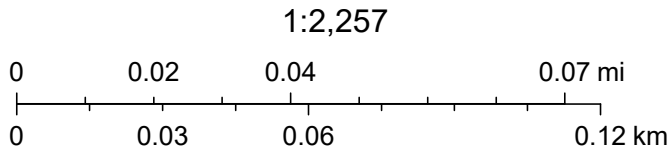
LAKESIDE MOTEL LLC
6445 HODGSON RD
LINO LAKES, MN 55014

1716 Lake Shore Dr. W - Neighbor Letter Range



6/2/2023, 12:14:11 PM

- Override 1
- Parcels



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



DEPARTMENT OF
PLANNING &
DEVELOPMENT
601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – June 20th, 2023

Agenda Item # 5d:	Conditional Use Permit Request to allow for a duplex in the R-1 Single-Family Residential District
Zoning District:	Single-Family Residential (R-1)
Property Address:	N/A
Parcel #:	# 201-00592-0000
Applicant:	Debra Eichman
Staff Contact:	Steven Wiley & Mandelyn Lyons

Background

Debra Eichman is applying for a conditional use permit to allow construction of a duplex on parcel #201-00592-0000 zoned R-1 Single Family Residential. The approximately .517 acre (22,502.52 square foot) parcel is currently vacant except for an accessory structure towards the north of the property, which is not allowed per UDO Section 5.6. The applicant is proposing to keep the existing accessory structure if there is enough buildable area and construct an approximately 4,687 sq. ft. two-family home. The applicant is proposing the duplex and has intentions of living in one side. Each side of the duplex will have three bedrooms, two bathrooms, a covered porch, and an attached garage space. The proposed plans have the building with frontage on 17th Ave W.

The applicant has an accepted offer on the property which is contingent on approval of the Conditional Use Permit for the duplex. Surrounding uses are primarily single-family residences and manufactured homes. There is a mix of two-story and single-story homes around the area with a majority being two-story in the area and the manufactured home park to the south as an exception.

Existing Land Use	Zoning
Vacant	Single Family Residential (R-1)

Existing Uses		Zoning
North	Single Family Residences	Single Family Residential (R-1)
South	Single Family Residences & Manufactured Homes	Single Family Residential (R-1) & Manufactured Home Community (MHC)
East	Single Family Homes	Single Family Residential (R-1)
West	Single Family Homes	Single Family Residential (R-1)

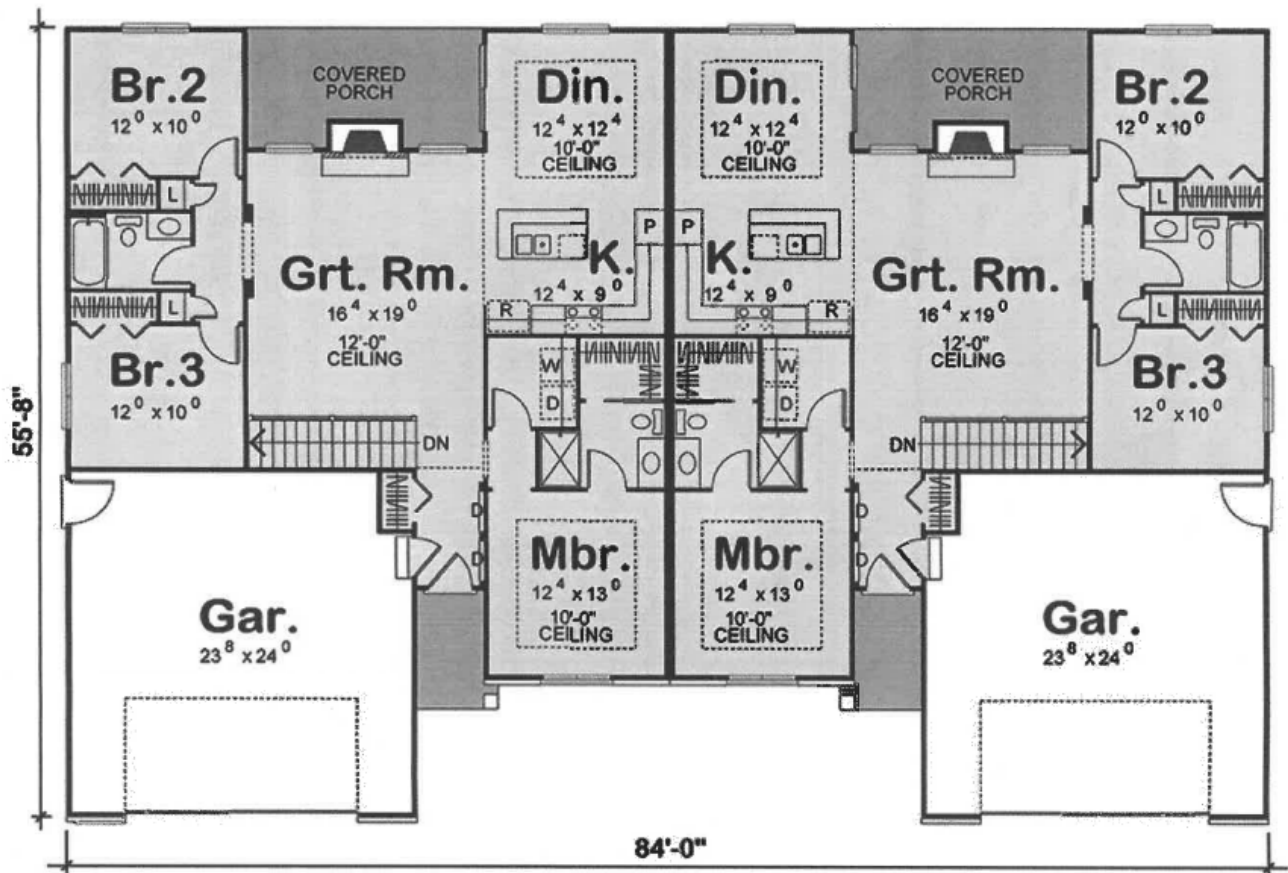
Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Traditional Neighborhood & Mixed Use



Pictures are described left to right. The first picture is a view of the property facing straight on from the curb. The second photo is of the property closer towards the southern facing side of the property. The third picture shows the southern border of the property which is a diagonal line separating this property from the adjacent single-family home.

Site Design

The applicant is proposing to build an approximately 4,687 square foot duplex on the existing vacant property with frontage on 17th Ave W. The proposed floor layout is a mirrored design which includes three bedrooms, two bathrooms, a dining area, kitchen, great room, a laundry room, covered porch area, and an attached two-car garage. Each tenant would have their own driveway connected to the garage area that would have vehicular access from 17th Ave W. UDO Section 6.3 requires that a two-family home or duplex is required to have two parking spaces per dwelling unit, and the currently proposed layout would provide enough parking area with the garage and the driveway.



The proposed layout of the site would make use of the irregularly shaped lot with the bulk of the building being located in the rectangular area. The drawing below is not to scale. The applicant will have to conform to setbacks for principal structures in the Single-Family Residential zoning district which are 25 feet from the front property line, 8 feet from the interior parcel lines, and 35 feet from the rear parcel lines. The applicant will also be required to comply with maximum building coverage and impervious coverage percentages for the parcel.



Site Plan submitted by the applicant – Note that the plan is not to scale.

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 development is consistent with the Comprehensive Plan as it outlines the need for housing, for development towards the core of the city, and for higher density housing developments to maximize underutilized spaces. The applicant intends to live in one side of the duplex and rent the other side which will bring one new rental unit into a sparse market.

This development is also consistent with the recommendation of the Future Land Use Plan, as the proposed development area will be within the Traditional Neighborhood & Mixed-Use district. A duplex would be found in a traditional neighborhood and would not be an abnormal addition.

2. Compatibility.

The applicant's proposal is compatible with the surrounding uses within the area. The area has been able to accommodate single family homes and the manufactured home community to the south of the property. The duplex would work as a transitional point between the single-family homes in the area and the manufactured home community. The parcel itself is also large enough to accommodate the development. UDO Section 4.3 specifies that residential uses, that are not single-family homes, require a minimum parcel area of 10,500 square feet. This parcel surpasses that requirement, and a duplex is the largest residential development that is allowed within the zoning district.

FUTURE LAND USE PLAN



3. Importance of Services to the Community.

The City of Ashland's Comprehensive Plan speaks to the need of residential development in the area, especially development that is available to renters. This proposal also utilizes a previously vacant but developable parcel which adds to the tax base and overall investment to the area.

4. Neighborhood Protections.

The applicant will have to comply with all building codes and all applicable UDO sections. A more detailed site plan that depicts the proposed duplex, driveways, and other structures is required during submission of the building permit and UDC application.

The site has been determined to be large enough for the proposed development, however there is a discrepancy between the deeded/assessed acres (.517 acres) and the GIS calculated acres (.69 acres). While both acreage amounts are large enough for the development a survey is recommended to confirm the parcel size and property line locations.

5. Conformance with Other Requirements:

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

- City of Ashland Building Codes and applicable UDO Sections

Review Recommendation

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

- The applicant shall add dimensions of the proposed structure and distances from lot lines to the site plan. Applicant shall submit the revised site plan and obtain any necessary permits for the proposed project
- The applicant shall have the property surveyed to confirm the size of the parcel and the property line locations
- The applicant shall record their rental property with the City of Ashland Rental Registration
- The site must be developed as proposed or with another permitted principal use or be vacant to come into conformance with current zoning ordinances
- If construction has not begun within one year of the Conditional Use Permit approval the permit is null and void

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 June 6th & June 13th 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.

To: City of Ashland Planning Commission

From: Debra Eichman
deichman@sdak12.net
(715) 316-3263 cell
(715) 682-7089 ext 1029 office

CC: Mandelyn Lyons
Assistant Planner
Planning & Development
City of Ashland

Date: Jun 1, 2023

Subject: Planning Commission June 20th agenda item - Conditional Use Permit Request
Application for 7xx 17th Ave W

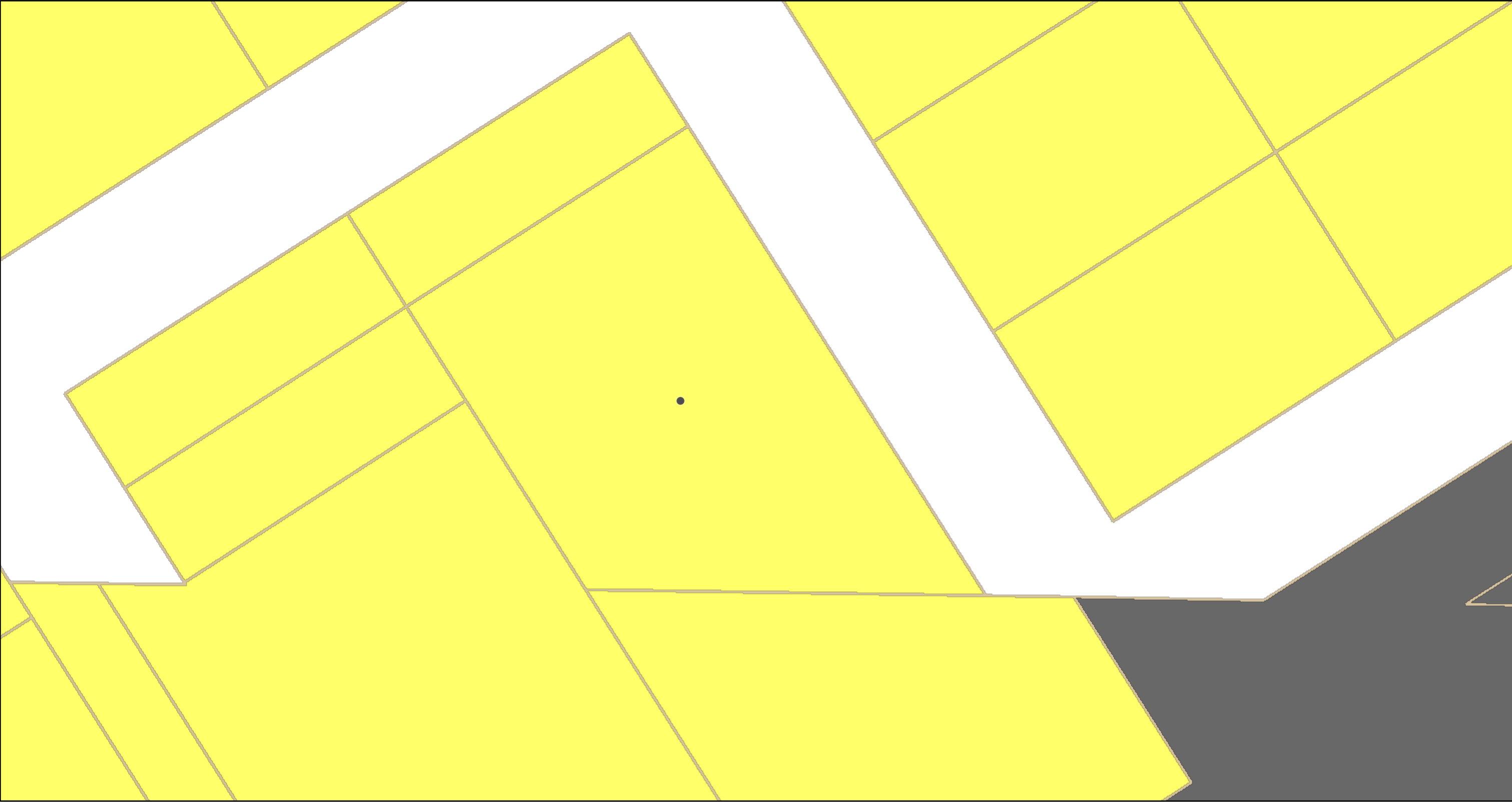
Description of the Project:

A conditional use permit is requested for the lot located at 7xx 17th Ave W currently zoned G-1 residential. A cash offer to purchase this lot contingent on this CUP being approved has been accepted by the current owner. This CUP is being requested for the purpose of building a duplex on the property. Each side of the duplex could be described as a single level 3 bedroom, two-bath, two car garage living space.

Please find a potential floor plan for the proposed build attached with this memo. The master bedrooms and ensuite on both sides of this duplex would be built to accommodate elderly or disabled individuals with walk-in showers, grab rails, and wide doors. The requester of this permit is motivated to complete this build as greenly as possible with attention to efficient HVAC in mind. This duplex would be built on a slab with in-floor heat and solar panels on the south side of the roof.

Given the requester of the CUP intends to live in the duplex, the timeline on this project is to move as quickly as possible. The requester of this permit would like you to consider a few facts. First, there is a shortage of housing in Ashland. Second, the median build year of homes in Ashland is 1953, according to <https://www.point2homes.com/>. As professionals look to move to Ashland to work for places like the local school district, the hospital, and other employers, it takes time to consider the housing options available. Many of these housing options need repair, renovation or updates due to their age. Homes and rentals that are attractive to professionals looking to move into the area will improve the ability to attract and possibly retain new hires.

201-00592-0000 - Zoning



6/14/2023, 8:53:25 AM

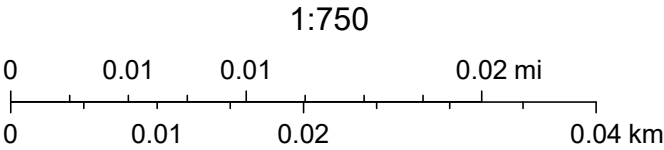
Parcels

Zoning

R-1
, Single Family Residential

MHC
, Manufactured Home Community

ROW, Right of Way



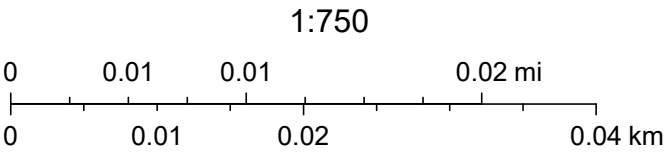
City of Ashland Public Works Department, GIS Division, City of Ashland Public Works and Planning Department, PICTOMETRY INTL

201-00592-0000 - Aerial



6/14/2023, 8:52:43 AM

 Parcels



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

6/6/2023

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 Debra Eichman has applied for a Conditional Use Permit (CUP) to construct a duplex at parcel #201-00099-0000, zoned Single Family Residential (R-1).

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, June 20th, 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/775025133>. You can also join via phone at United States (Toll Free): 1 866 899 4679 using Access Code: 775-025-133.

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.

MECHALLE MARIA POPPY

722 17TH AVE W

ASHLAND, WI 54806

GEORGE & MARY BOWERS

1701 8TH ST W

ASHLAND, WI 54806

BARBARA & CHERRI KAUSS

714 17TH AVE W

ASHLAND, WI 54806

MEREL E KERR SR. & KIM KERR

700 17TH AVE W

ASHLAND, WI 54806

KRISTIN MARIE SEALUND & ERIC ZED GRIFFITHS

703 17TH AVE W

ASHLAND, WI 54806

CATLYN & DYLAN NOWICKI

700 18TH AVE W

ASHLAND, WI 54806

STEVEN & ELAINE LEROY

706 18TH AVE W

ASHLAND, WI 54806

CAROL A PETERSON C/O DONAL & ALICE
HUDACK

708 18TH AVE W

ASHLAND, WI 54806

Find yourself next to the water.



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 – June 20, 2023

Agenda Item # 5e: Public Hearing Vote on a Citizen Request to Acquire Former Railroad Right of Way Owned by the City

Zoning District: Waterfront City Center (W-CC) District
Property Address: Vacant – No Address Number
Parcel #: Portion of Parcel # 201-01078-0000
Applicant: Florence Campbell
Staff Contact: Steven Wiley

Background

Florence Campbell is the owner of the property at 201 N 7th Avenue E and would like to acquire a portion of the former railroad right-of-way immediately south of her property. The parcel is currently vacant and is parcel # 201-01078-0000. It is a 0.44-acre parcel. Staff discussed the land transfer request with the applicant and with the Mayor. City Attorney Max Lindsey drafted a policy to address these types of land transfers. The policy would allow each property owner to acquire the portion of right-of-way that would complete his or her parcel for a price of \$0.25 per square foot. After further discussion among staff and the Mayor it was determined to transfer the property rather than sell it to incentivize placing these portions of former railroad rights-of-way back on the tax rolls. Ms. Campbell's current property and the immediately surrounding properties are all single-family uses or vacant.

The portion of right-of-way Ms. Campbell would acquire is approximately 7,457 square feet (0.17 acres) in area. The City acquired this right-of-way from the Wisconsin Central Railroad in 2014 after the railroad ceased operations in Ashland. Ms. Campbell would combine her existing parcel with the portion of the former right-of-way into one parcel for a total lot size of 10,492 square feet (0.24 acres). She would like to complete her parcel. Many parcels in the immediate vicinity are irregular-shaped and substandard in size due to losing portions of their area to the railroad. Property owners and tenants have often used the former right-of-way area as extensions of their yards. City staff informed Ms. Campbell that the requested land transfer would require Plan Commission and Common Council review.

Existing Land Use	Zoning
Vacant: Former Railroad Right of Way	Waterfront City Center

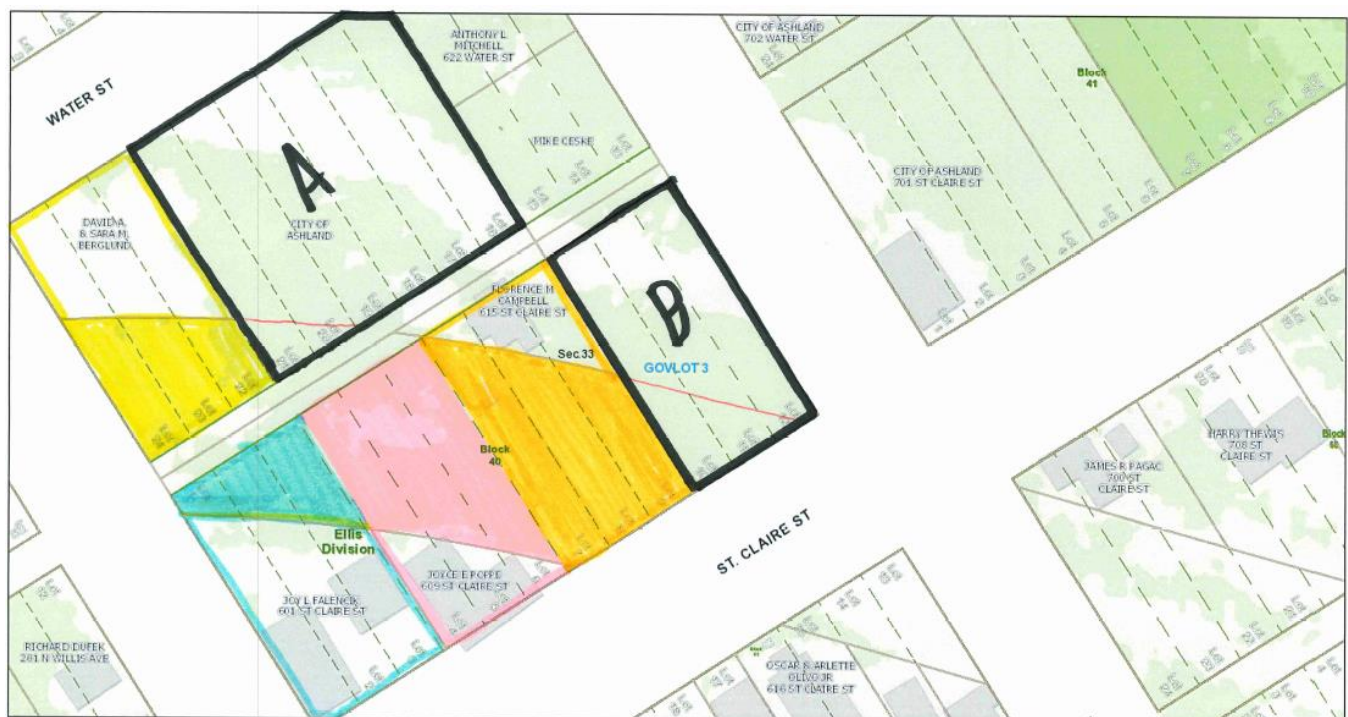
Adjacent Land Use and Zoning

Existing Uses		Zoning
North	Vacant, Single-family Residential	Waterfront City Center (W-CC)
South	Single-family Residential	Waterfront City Center (W-CC)
East	Vacant	Waterfront City Center (W-CC)
West	Vacant, Single-family Residential	Waterfront City Center (W-CC)

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Waterfront Protection

Staff introduced the land transfer to the Plan Commission at the December 20th meeting. City Attorney Max Lindsey explained his draft policy for the transfer of some City-owned former railroad rights-of-way. Mr. Lindsey explained that each property owner on the block could have an opportunity to acquire the portion of former right-of-way abutting his or her respective parcel (see map below).

Since the December 20th, 2022 Plan Commission meeting staff has had some discussions with Ms. Campbell regarding her land transfer request. Staff advised Ms. Campbell that she would have to work with a surveyor to complete a Certified Survey Map (CSM) combining the portion of former right-of-way with her current parcel. Ms. Campbell and her surveyor have completed a CSM showing the proposed final lot configuration and the CSM is included on an upcoming page.



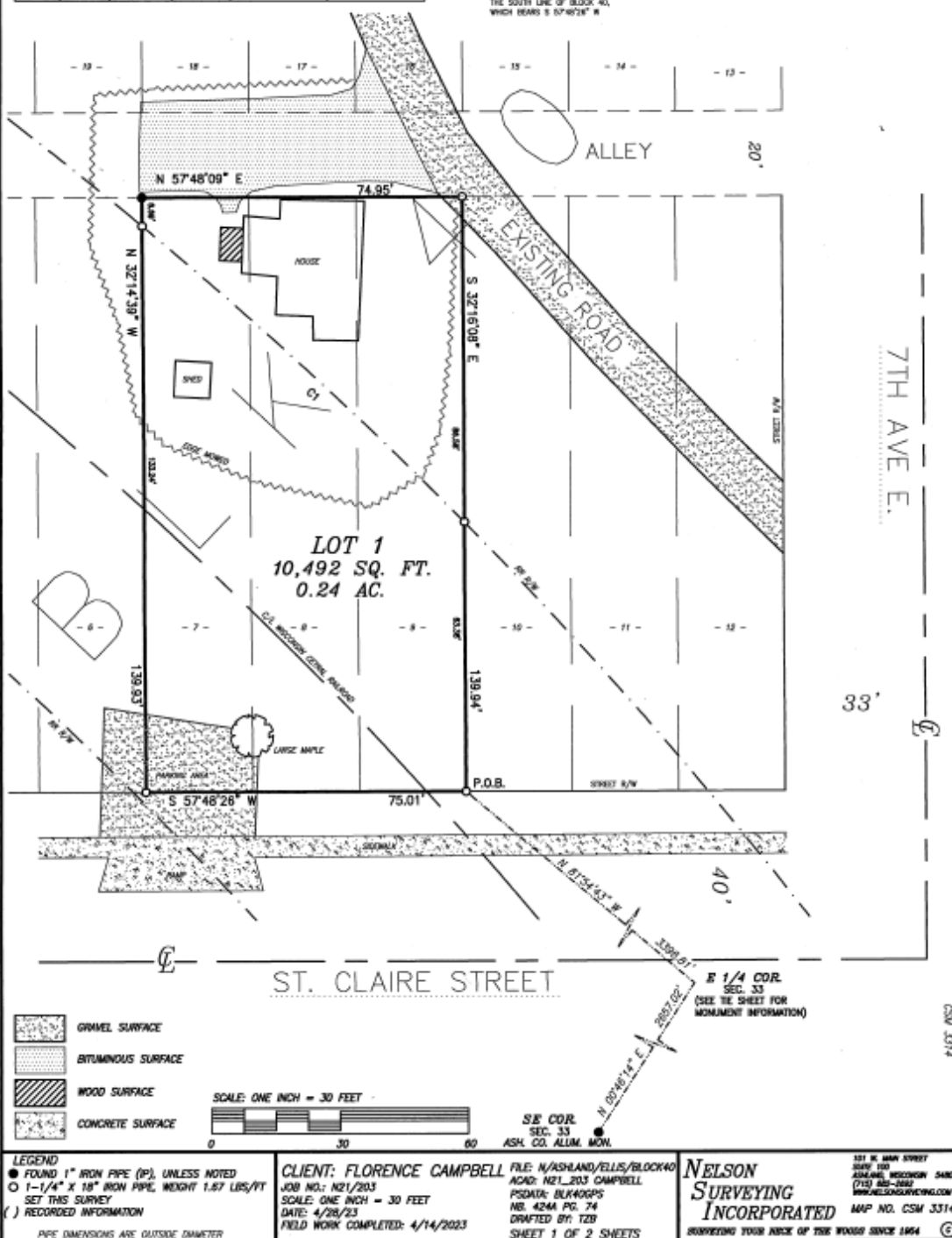
The above map shows the City Attorney's proposed lot reconfiguration for the block where the subject property is located. Each property owner would have an opportunity to acquire the associated shaded portion of railroad right-of-way. Ms. Campbell's property and the associated railroad right-of-way are in orange.

Planning staff has discussed the proposal with Public Works. The Public Works Director informed planning staff that a sanitary sewer runs down the platted alley of the block. The alley right-of-way continues to exist and was never vacated. Public Works will require that access to the sanitary sewer is maintained. Ms. Campbell currently accesses her property via an access drive off of 7th Avenue East across the vacant City-owned parcel. Public Works would create an alley access from the west to allow access from the alley rather than the vacant City-owned parcel to the east of Ms. Campbell's property. The existing access road would be removed and this would free up the parcel for potential sale and development. Staff would recommend that as conditions of the land transfer the applicant combine the portion of former right-of-way with her parcel and that vehicle access would come through the alley from the west. The existing access drive from the east would be removed.

LOTS 7-9, INCLUSIVE, AND ADJOINING WISCONSIN CENTRAL
RAILROAD RIGHT OF WAY LOCATED IN BLOCK 40 OF ELLIS DIVISION,
RECORDED IN VOL. 2 OF PLATS ON PAGE 80, IN THE CITY OF
ASHLAND, ASHLAND COUNTY, WISCONSIN

CURVE	ARC	DELTA	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	102.58'	05°35'03"	1052.57'	N 79°14'01" W	102.54'

BEARINGS ARE REFERENCED TO
THE SOUTH LINE OF BLOCK 40
WHICH BEARS S 67°46'28" W



Review Criteria for Offer to Purchase and Sale of Land:

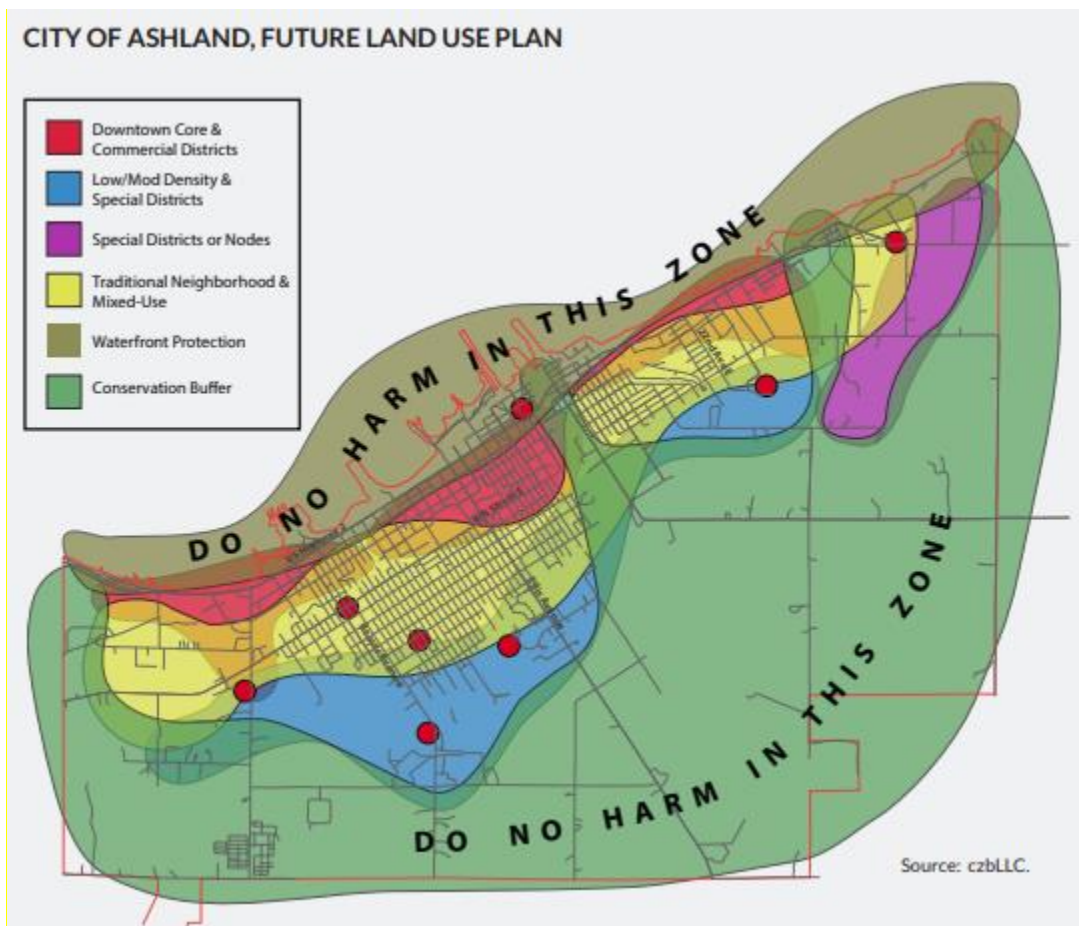
The following decision criteria were used to review the submitted land transfer request:

1. Consistency with Comprehensive Plan.

The Comprehensive Plan calls for careful disposition of vacant land. This includes making fiscally sound decisions with the land the City owns, and ensuring that the highest and best use for the land is achieved. Parcel # 201-01078-0000 is currently vacant and according to the last inventory of City-owned properties this parcel is considered non-essential. To staff's knowledge the parcel does not have easements or deed restrictions attached.

The proposed land transfer of a portion of Parcel # 201-01078-0000 is in conformance with the Future Land Use Map, and it supports the principles and goals of the Comprehensive Plan. The Waterfront Protection zone and Conservation Buffer comprise the areas surrounding the core of the community. The Comprehensive Plan recommends protecting these areas. The site is classified in the Future Land Use Map as Waterfront Protection Zone. The plan states:

The area surrounding the core of the community – the downtown, the neighborhoods, the institutions and industrial sites – should be protected from development for the foreseeable future. This will encourage and guide infill development that will be integrated with the existing built fabric as well as provide a buffer between Ashland and its neighbors (Authentic Ashland, pg. 34).



The land transfer involves the City transferring ownership of a portion of former railroad right-of-way to a residential property owner. The property owner would combine the right-of-way with her existing parcel. The property would remain residential. The land use would not intensify and the land transfer and combination would allow for a reduction in nonconformity of the residential parcel.

2. Consistency with the Unified Development Ordinance (UDO):

A. Zoning District: Waterfront City Center (W-CC)

The addition of the requested land for purchase (a portion of parcel # 201-01078-0000) to parcel 201-01082-0000 will not impact consistency with standards for the W-CC district. The applicant's current property (parcel 201-01082-0000 at 201 N 7th Ave E) is a nonconforming lot for the Waterfront City Center district due to its shape and narrow width at one end. The land transfer as requested and subsequent lot combination will restore the parcel to a conforming shape and dimensions.

B. Compatibility of Proposed Development with Existing Development

The land requested for transfer by the applicant is currently vacant with no development plans proposed. The land transfer and incorporation into the applicant's parcel to create a conforming lot are compatible with the existing uses and would facilitate the owner's future use of the property which would otherwise not be possible.

3. Consideration of Highest and Best Use:

Considering all factors as listed above, staff sees this as the highest and best use of the property. The City has no current or future plans for use of the parcel, and has deemed this land non-essential for future City needs. It is not shown as essential in City of Ashland Ordinance Chapter 478.

The proposed use is compatible with the site and surrounding areas. The surrounding uses are primarily residential. The applicant's existing home would remain and the intent is that this and similar land transfers would allow property owners to complete lots that were previously subdivided by the railroad. The parcels would remain residential. No changes in land use are proposed for the subject parcel or area.

- 4. Additional Factors, including Compliance with other City Ordinances and State Statutes:**
- a. The applicant shall apply with Ashland County for combination of the subject portion of Parcel # 201-01078-0000 with her existing property at Parcel # 201-01082-0000 via Certified Survey Map into a single tax parcel.

Review Recommendation

Staff recommends APPROVAL of the Land Transfer request contingent on the following conditions:

- The applicant shall be responsible for the costs associated with the land transfer including but not limited to: Certified Survey Map, closing costs, Register of Deeds recording fees, etc.
 - Applicant shall combine the former railroad right-of-way parcel with her existing property to create one lot and City staff shall review and approve the CSM prior to recording at the County.
 - Vehicle access to the applicant's property shall be through the alley from the west and existing access drive across the City-owned parcel on the east shall be removed.
 - Applicant shall obtain required approvals and zoning and building permits prior to constructing any improvements on the resulting property.
- 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 home is nonconforming in its placement off of the alley. It is almost on the property line which would not be permitted under current code. The detached shed would come into compliance once the owner's current parcel and the former railroad right-of-way are combined.

Additionally, as a Public Hearing is scheduled for the proposed Land Transfer, the Plan Commission should hear all input from the public prior to making a determination. The required Class 1 public hearing notice was issued on June 6th and June 13th, and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

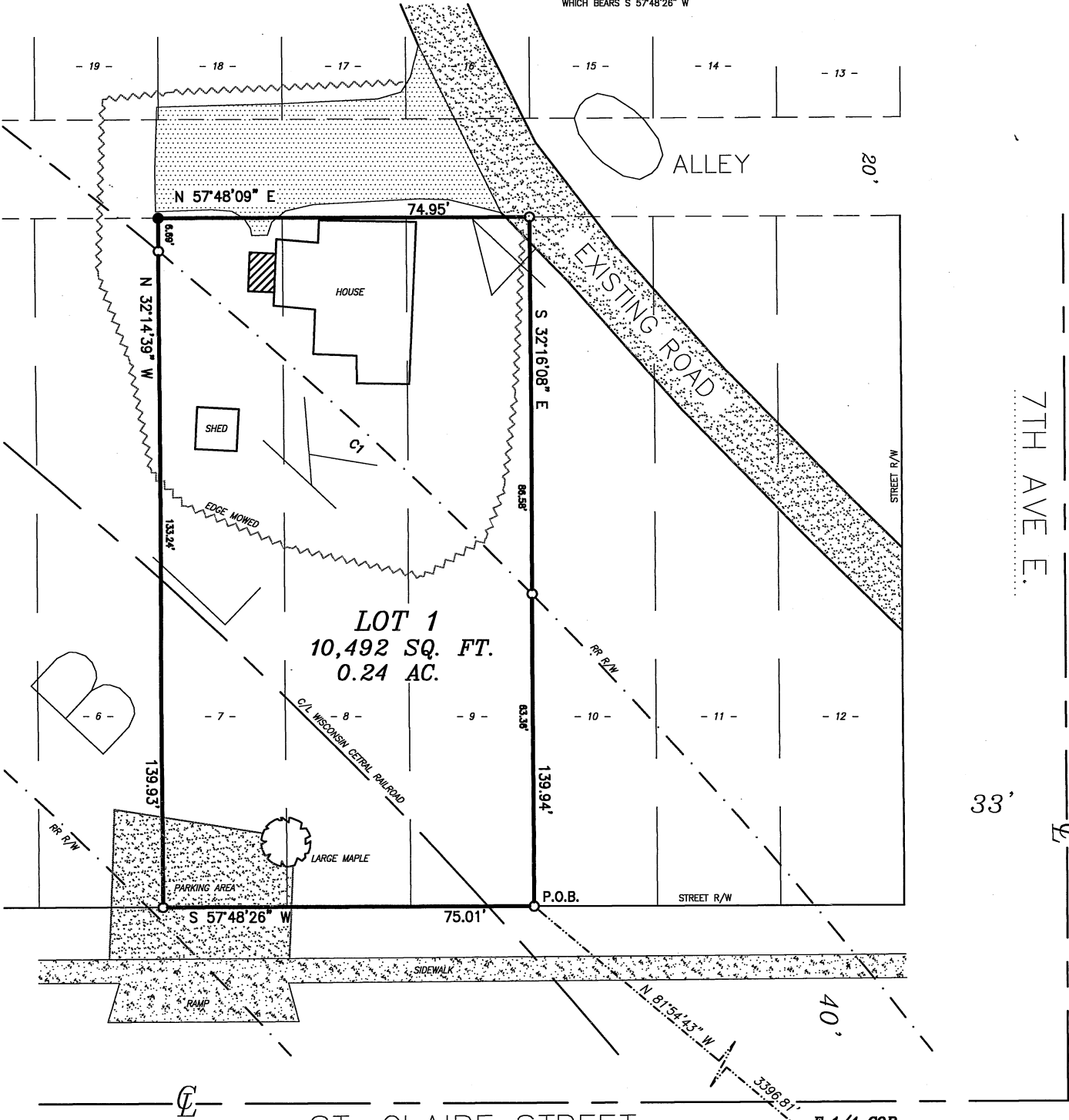
Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

ASHLAND COUNTY CERTIFIED SURVEY
MAP NO. _____

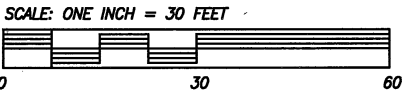
LOTS 7-9, INCLUSIVE, AND ADJOINING WISCONSIN CENTRAL
RAILROAD RIGHT OF WAY LOCATED IN BLOCK 40 OF ELLIS DIVISION,
RECORDED IN VOL. 2 OF PLATS ON PAGE 80, IN THE CITY OF
ASHLAND, ASHLAND COUNTY, WISCONSIN

CURVE TABLE					
CURVE	ARC	DELTA	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	102.58'	05°35'03"	1052.57'	N 79°14'01" W	102.54'

BEARINGS ARE REFERENCED TO
THE SOUTH LINE OF BLOCK 40,
WHICH BEARS S 57°48'26" W



- GRAVEL SURFACE
- BITUMINOUS SURFACE
- WOOD SURFACE
- CONCRETE SURFACE



LEGEND
● FOUND 1" IRON PIPE (IP), UNLESS NOTED
○ 1-1/4" X 18" IRON PIPE, WEIGHT 1.67 LBS/FT
SET THIS SURVEY
() RECORDED INFORMATION
PIPE DIMENSIONS ARE OUTSIDE DIAMETER

CLIENT: FLORENCE CAMPBELL
JOB NO.: N21/203
SCALE: ONE INCH = 30 FEET
DATE: 4/28/23
FIELD WORK COMPLETED: 4/14/2023
FILE: N/ASHLAND/ELLIS/BLOCK40
ACAD: N21_203 CAMPBELL
PSDATA: BLK40GPS
NB. 424A PG. 74
DRAFTED BY: TZB
SHEET 1 OF 2 SHEETS

NELSON
SURVEYING
INCORPORATED
SURVEYING YOUR NECK OF THE WOODS SINCE 1964
101 W. MAIN STREET
SUITE 100
ASHLAND, WISCONSIN 54806
(715) 822-2892
WWW.NELSONSURVEYING.COM
MAP NO. CSM 3314

ASHLAND COUNTY CERTIFIED SURVEY MAP NO. _____

LOTS 7-9, INCLUSIVE, AND ADJOINING WISCONSIN CENTRAL RAILROAD
RIGHT OF WAY LOCATED IN BLOCK 40 OF ELLIS DIVISION, RECORDED
IN VOL. 2 OF PLATS ON PAGE 80, IN THE CITY OF ASHLAND,
ASHLAND COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, PETER A. NELSON, PROFESSIONAL LAND SURVEYOR IN THE STATE OF WISCONSIN, HEREBY CERTIFY:

THAT ON THE ORDER OF FLORENCE CAMPBELL, I HAVE SURVEYED AND MAPPED LOTS 7-9, INCLUSIVE, AND ADJOINING WISCONSIN CENTRAL
RAILROAD RIGHT OF WAY IN BLOCK 40 OF ELLIS DIVISION, RECORDED IN VOL. 2 OF PLATS OHN PAGE 80, IN THE CITY OF ASHLAND,
ASHLAND COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT THE EAST 1/4 CORNER OF SECTION 33 AND RUN N 81°54'43" W, 3396.81 FEET TO
THE SOUTHEAST CORNER OF LOT 9 OF BLOCK 40, WHICH IS THE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING BY METES AND BOUNDS:

S 57°48'26" W, 75.01 FEET ON THE ON THE SOUTH LINE OF SAID BLOCK 40 TO THE SOUTHWEST CORNER OF LOT 7 OF SAID BLOCK 40.
THENCE LEAVING SAID SOUTH LINE AND ON THE WEST LINE OF SAID LOT 7, N 32°14'39" W, 139.93 FEET TO THE NORTHWEST CORNER OF
SAID LOT 7. -THENCE LEAVING SAID WEST LINE AND ON THE NORTH LINES OF SAID LOTS 7-9, N 57°48'09" E, 74.95 FEET TO THE
NORTHEAST CORNER OF SAID LOT 9. THENCE LEAVING SAID NORTH LINE AND ON THE EAST LINE OF SAID LOT 9, S 32°16'08" E, 139.94
FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10,492 SQUARE FEET, WHICH IS 0.24 ACRE.

SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD OR USE, IF ANY;

THAT THIS MAP IS A TRUE REPRESENTATION OF SAID SURVEY;

THAT SAID SURVEY AND MAP FULLY COMPLY WITH SECTION 236.34 OF THE WISCONSIN STATUTES AND THE CITY OF ASHLAND UNIFIED
DEVELOPMENT ORDINANCE;

THAT SAID SURVEY AND MAP ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PETER A. NELSON PLS - 3071

CITY OF ASHLAND PLANNING AND DEVELOPMENT APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE CITY OF ASHLAND PLANNING AND DEVELOPMENT DEPARTMENT.

_____ DATED THIS _____ DAY OF _____, 2023.
STEVEN WILEY
PLANNING AND DEVELOPMENT DIRECTOR

CERTIFICATES

CLIENT: FLORENCE CAMPBELL
JOB NO.: N21/203
DATE: 4/28/23
FIELD WORK COMPLETED: 4/14/2023
DRAFTED BY: TZB

FILE: N/ASHLAND/ELLIS/BLOCK40
ACAD: N21_203 CAMPBELL
PSDATA: BLK40GPS
NB. 424A PG. 74
SHEET 2 OF 2 SHEETS

NELSON
SURVEYING
INCORPORATED
SURVEYING YOUR NECK OF THE WOODS SINCE 1964

101 W. MAIN STREET
SUITE 100
ASHLAND, WISCONSIN 54806
(715) 682-2892
WWW.NELSONSURVEYING.COM
MAP NO. CSM 3314

CSM 3314

STAFF REPORT - Plan Commission – June 20, 2023

**Agenda Item #5f: Public Hearing and Vote on a Request to Rezone Parcels
#201-04779-2000, 201-04779-0000, 201-04775-0000, 201-04774-0000,
and 201-04771-0000 (5 parcels) from Future Development (FD) to
Residential Estates (R-E)**

Current Zoning: Future Development (FD) (All 5 parcels)

Proposed Zoning: Residential Estates (R-E) (All 5 parcels)

Applicants: Paschal & Sharon Hammond, Brett and Gina Beeksma (BNG Properties)

Property Owner: Paschal & Sharon Hammond, Brett & Gina Beeksma (BNG Properties)

Staff Contact: Steven Wiley

Background and Property Location



The five subject parcels are highlighted in red in the above map. The City boundary lies at the western edge of the western-most parcel.

Property owners Paschal and Sharon Hammond own properties at 3100 Junction Road and along the Tri-County Recreational Corridor (parcels 201-04779-2000, 201-04779-0000, 201-04775-0000) Property owners Brett and Gina Beeksma (BNG Properties) own the properties at 3200 and 3212 Junction Road (parcels 201-04774-0000 and 201-04771-0000). These owners have approached the City with a request to rezone their properties from their current Future Development (FD) zoning to Residential Estates (R-E). The subject parcels are located on the western edge of the City on the south side of Junction Road. Some of the parcel areas are residential and some are vacant or contain vacant areas. The land uses of the surrounding properties vary. Prentice Park is to the north, the Tri-County Recreational Corridor and single-family land uses to the south, and residential land uses to the east and west. The City boundary is the western edge of the western-most parcel.

The property owners applied for the zone change because some of the properties do not meet the minimum 5-acre lot size for the current Future Development District. Some of the parcels are therefore non-conforming and the options the property owners have are more limited due to the minimum 5-acre lot size. A zone change from Future Development to Residential Estates would establish a minimum ½ acre lot size which would increase the flexibility property owners have with the subject parcels.

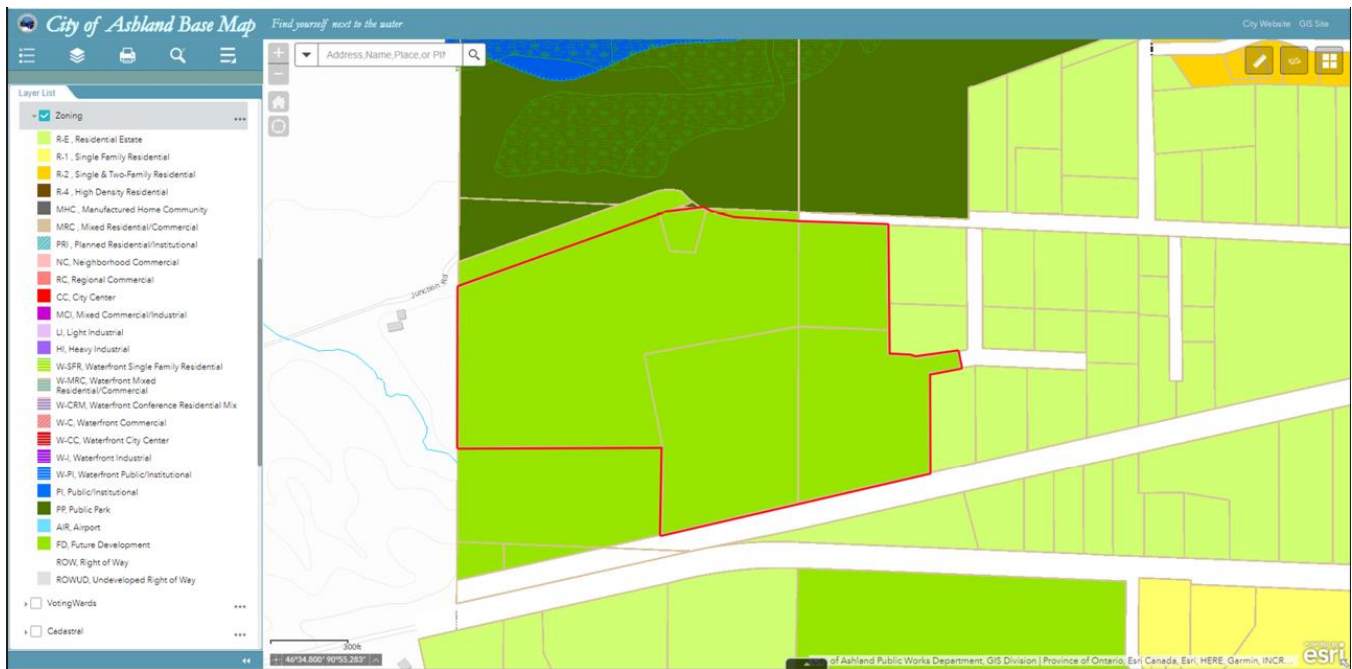
<u>Existing Land Use</u>	<u>Zoning</u>
Single-family Residential and Vacant	Future Development (FD)

Adjacent Land Use and Zoning

<u>Existing Uses</u>		<u>Zoning</u>
North	Prentice Park	Public Park (PP)
South	Tri-County Recreational Corridor, Single-family Residential	Future Development (FD), Residential Estates (R-E)
East	Single-family Residential	Residential Estates (R-E)
West	Town of Eileen	Town of Eileen – Bayfield County Zoning: Residential - 1 (R-1)

<u>Land Use Recommendation</u>	<u>Land Use</u>
Future Land Use Map Recommendation	Conservation Buffer, Traditional Neighborhood and Mixed Use

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The subject properties are outlined in red above. Note the green which is the current Future Development (FD) zoning of the subject parcels. The light green is the Residential Estates (R-E) zoning of neighboring properties and requested for the subject parcels.

Standards for Review

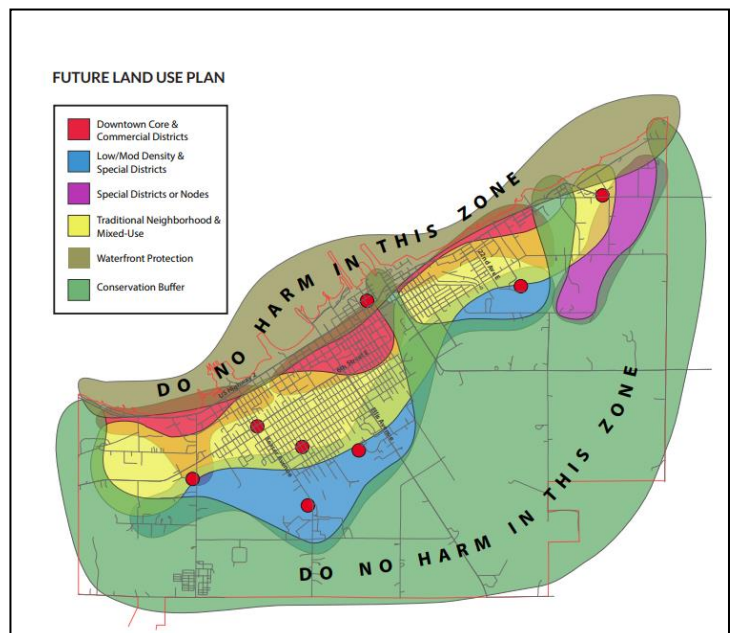
The City of Ashland's Unified Development Ordinance (U.D.O.) 781, Section 3.3: Zoning Map Amendment (Rezoning) creates the legal framework to regulate, administer, and enforce the rezoning process for the City of Ashland.

Decision Criteria

In determining whether to approve or deny an application for a zoning map amendment, the following criteria should be considered:

1. *The Zoning Map Amendment is consistent with the Comprehensive Plan.*

The proposed rezoning of the properties at 3100 Junction Road and along the Tri-County Recreational Corridor (parcels 201-04779-2000, 201-04779-0000, and 201-04775-0000) and properties at 3200 and 3212 Junction Road (parcels 201-04774-0000 and 201-04771-0000) from Future Development (FD) to Residential Estates (R-E) is consistent with the Future Land Use Plan identified in the City's Comprehensive Plan. The Future Land Use Plan identifies portions of this area for "Conservation Buffer" and "Traditional Neighborhood and Mixed Use" districts.



Conservation Buffer areas include “the area surrounding the core of the community – the downtown, the neighborhoods, the institutions, and industrial sites – should be protected from development for the foreseeable future. This will encourage and guide infill development that will be integrated with the existing built fabric as well as provide a buffer between Ashland and its neighbors.”

Traditional neighborhood and mixed-use districts are recommended to include single-family housing, and “duplexes and townhouses are often interspersed within these areas and provide a greater range of housing options for households of various income levels.” For mixed use opportunities, “it is strongly recommended that the community begin to consider small cafes (coffee shops, tea houses, bakeries, etc.) or a local mom-n-pop hardware store or pottery or art shop,” and recognizes that “a community cannot always predict where a need, or opportunity, for such will arise but we should plan for it.”

The Future Land Use Plan identifies the Conservation Buffer and Traditional Neighborhood and Mixed-Use Districts but does not delineate firm boundaries for these zones. Rather, it includes some overlap to provide flexibility for future zoning and development decisions. The two districts identified in the Future Land Use Plan provide enough flexibility to accommodate the zone change request. The Residential Estates zoning is consistent with current Residential Estates zoning just east of the subject parcels and would allow increased flexibility for the current or future owners because of the reduced minimum parcel size (1/2 acre for the Residential Estate zoning versus 5 acres for the Future Development zoning). Lower intensity uses including the single-family residential permitted by the Residential Estates zoning are consistent with the Conservation buffer and Traditional Neighborhood and Mixed-Use recommendations. Staff is supportive of the zone change as requested.

2. *The Zoning Map Amendment promotes public health, safety, morals, and the general welfare, as well as the efficiency and economy in the process of development.*

The proposed zoning amendment would promote public health, safety, morals and the general welfare of the area, which has existing residential uses directly to the east. Staff is not aware of development plans for the immediate area as of now. However, rezoning this property from its current FD zoning to R-E would allow more flexibility for single-family and some other development types. The FD zoning is meant as a placeholder to allow use of land that will not prevent future development at the location. The intent is that land in the FD zones is eventually rezoned consistent with the Comprehensive Plan.

Given the size and configurations of the subject parcels, R-E zoning would strike a balance between the Conservation Buffer and Traditional and Mixed-Use Neighborhood recommendations for the area identified in the Comprehensive Plan. It allows for single-family homes and other compatible uses on relatively large parcels. Uses in this district may or may not be served by City water and sewer. The larger parcel sizes (at least ½ acres in area) would ensure low density development in line with the recommendations laid out in the Comprehensive Plan. R-E zoning would increase the potential for efficient and economic uses/development of the subject parcels because it would allow the subdivision of currently large parcels into smaller, development-friendly lots. Lower density development is appropriate for the outer edges of the City and will reduce the chance of overwhelming existing infrastructure there.

3. *The Zoning Map Amendment is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.*

Parcels 201-04779-2000 and 201-04779-0000, currently zoned Future Development (FD), are located adjacent to Residential Estates (R-E) zoning on the east. The northern parcel has street

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access from Junction Road and includes a single-family home, pole sheds, and woodland. The southern parcel has access from Victoria Lane and currently has a pole shed and a portion of another pole shed which straddles the northern property line. The southern portion of the parcel is vacant. The existing single-family residential uses directly east of the subject parcels have lot sizes between 0.75 to 2.24 acres. Therefore, the zone change would be consistent with the character of the existing neighborhood and surrounding uses. Current parcels of at least ½ acre in area that are nonconforming due to having lot sizes less than 5 acres under the current FD zoning would become conforming size-wise. The current owners would have increased flexibility with their properties and the R-E zoning would afford flexibility for future owners or potential subdivision of parcels for development. In rezoning all five subject parcels to R-E zoning, it would ensure consistent zoning among all five subject parcels and those to the east.

4. *The property to be amended (rezoned) is suitable* for the uses permitted by the Zoning District that would be applied by the proposed Zoning Map Amendment.*

The property is suitable for the uses permitted in the R-E zoning district, which include lower-density and several other residential uses. Single-family homes would be permitted by right, with duplexes and other residential uses allowed through a Conditional Use Permit (CUP). The developable area is more than sufficient to meet the minimum lot sizes of the R-E zoning district. None of the uses permitted by right or by conditional use in the R-E district are high intensity uses that would cause issues in the district.

5. *The Zoning Map Amendment is generally consistent with the principles of sustainability specified in Unified Development Ordinance (UDO) Section 1.4: Integration of Principles of Sustainability.*

Rezoning the subject parcels to R-E zoning would be consistent with the principles of sustainability specified in the UDO. One Principle of Sustainability is reduction in dependence on fossil fuels, with a strategy to “promote a sensitive mixture of uses and compact development in appropriate areas that reduce the need to drive fossil fuel vehicles.” Another Principle of Sustainability is reduction in dependence on activities that harm life-sustaining eco-systems” through encouraging “infill development and redevelopment at appropriate densities and locations to help reduce sprawl and encroachment on nature.” Rezoning the property to R-E would allow for potential additional uses of the parcels with the understanding that any changes in land use or subdivision of the parcels would require staff and possibly Plan Commission review. The minimum ½ acre parcel size would allow development on existing lots within the city rather than sprawl onto properties outside of the city. Staff does not have sustainability concerns about the potential for development in line with the R-E zoning.

Any future subdivision of parcels via plat will require Plan Commission review and public informational meetings as part of the process. Depending on the future uses proposed for the properties, public engagement with surrounding properties will be required.

Preliminary Staff Recommendation

Staff recommends APPROVAL of the request to rezone the properties at 3100 Junction Road and along the Tri-County Recreational Corridor (parcels 201-04779-2000, 201-04779-0000, and 201-04775-0000) and properties at 3200 and 3212 Junction Road (parcels 201-04774-0000 and 201-04771-0000) from Future Development (FD) to Residential Estates (R-E).

In addition to the Staff Report, Plan Commission and City Council should consider public input received through the Public Hearing. The required Class 2 public hearing notice was issued on June 6th and June 13th.

**Suitable as defined by Merriam Webster means "adapted to a use or purpose" or "able, qualified."*

6

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 may be made by the Plan Commission.