



Planning Commission

Tuesday, March 19, 2024

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 January 16th, 2024 Plan Commission meeting

4. Identify Potential Conflicts of Interest

5. Public Comment (non-agenda items)

6. Action Items:

- a. Review and approval of a Certified Survey Map to legally create parcels #201-05130-0000, 201-05128-0100, and 201-05128-0200, zoned Future Development (FD). Applicant: Patrick McKuen DBA Pine Ridge Land Surveying, LLC.
- b. * Public Hearing and vote on a Conditional Use Permit request to allow private road access and future improvements at 2900 Knight Road (Parcel # 201-05128-0200), zoned Future Development (FD). Applicant: Christine Formella – **Staff requests withdrawal of this item.**
- c. Public Hearing and vote on a Conditional Use Permit request for a proposed office land use at 417 9th Ave W, (parcel # 201-00364-0000), zoned Mixed Residential/Commercial (MRC). Applicant: Ninth Avenue Investments, LLC Gary LaPean.
- d. Review and approval of an amendment to the previously approved Site Plan for Hudson Square Coffee at 2419 Lake Shore Dr. E (Parcel # 201-03307-0000), zoned Waterfront Mixed Residential/Commercial (W-MRC) with a Gateway Overlay (GTWY-O) Applicant: City of Ashland.

7. Discussion Items



8. Announcements/Reports/Comments/Questions

- a. Update on St. Luke's and Aspiris

9. 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.

Find yourself next to the water.



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

PLAN COMMISSION MEETING AGENDA

January 16th, 2024 at 6:30PM at the City Hall Council Chamber and via Go To Meetings

The meeting can be joined in person or by using a computer, smartphone or tablet at

<https://meet.goto.com/775025133>

**The meeting can also be joined by phone at
1 866 899 4679 using Access Code: 775-025-133**

Present: Matt Mackenzie, John Beirl, David Eades, Laurie Gregor, Jeff Beirl, Steven Wiley, Kevin Haas

Absent: JoAnn Erickson, Ana Tochterman

AGENDA

1. Call to Order and Roll Call
 - a. Meeting called to order at 6:30pm by Matt Mackenzie
2. Approval of the Agenda
 - a. Jeff Beirl moved to approve the agenda as it was presented, Eades seconded the motion. Motion carried with a 5-0 voice vote.
3. Consent Agenda
 - a. Approval of minutes from the November 21st, 2023 Plan Commission meeting
 - b. John Beirl mentioned the second page paragraph where Tochterman asked what was on surrounding properties. He asked for staff to make a correction there. John Beirl moved to amend the meeting minutes, Jeff Beirl seconded the motion. The motion carried with a 5-0 voice vote.
4. Identify potential conflicts of interest
 - a. None
5. Public Comment (non-agenda items)
 - a. None
6. Action Items:
 - a. Public Hearing and vote on a request to purchase 3 parcels of City-owned land, (parcels 201-03742-0000, 201-03743-0000, and 201-03744-0000, zoned Single-Family Residential (R-1). Applicant: Kevin Haas.
Wiley presented the item to Plan Commission. Mackenzie asked for a motion and a second to go into public hearing. John Beirl moved and Eades seconded to go into public

hearing. No one from the public voiced any concerns. Mackenzie asked for a motion and a second to exit public hearing. Jeff Beirl moved and Eades seconded to exit public hearing.

John Beirl voiced questions & comments

1. In favor of property going on tax rolls.
2. Mr. Beirl asked how is the price determined? Wiley answered: It is set by ordinance(s) that are in place. Discussion followed regarding property sales by the City to applicants in the past. The Planning Commission's goal is to ensure there is a fair price is set for the sale as to avoid preferential treatment.
3. Beirl explained that the Planning Commission does not want to give special treatment, the process needs to be fair and consistent with ordinance.
4. Jeff Beirl moved to amend the motion, Eades moved to approve. The revised motion included a condition that City staff work with the City Assessor to have an appraisal done and determine a fair price for the land. The applicant is required to develop within 3 years and cannot sell the property within that 3-year period.

Staff recommends APPROVAL of the Land Transfer request to sell Parcels 201-03742-0000, 201-03743-0000, and 201-03744-0000 contingent on the following conditions:

- *The right-of-way vacation and land transfer request shall be contingent on one another. Both shall require approval in order for either to proceed.*
- *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.*
- *Pending approval of the right-of-way vacation, the applicant shall combine the former right-of-way parcel with parcels 201-03742-0000, 201-03743-0000, and 201-03744-0000 via Certified Survey Map (CSM) 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 determined through coordination with the Department of Public Works and applicant shall obtain all right-of-way approvals prior to constructing access to the property.*
- *Applicant shall obtain required approvals and zoning and building permits prior to constructing any improvements on the resulting property.*

The below three conditions were added at the Plan Commission meeting:

- *The applicant shall construct a home on the combined parcel within three (3) years of the land transfer closing date.*
- *The applicant may not sell the parcel(s) within three (3) years of the land transfer closing date.*
- *Additionally, City staff is to request an appraisal from the City Assessor to determine a fair market value for the land.*

Eades moved to approve the sale of the parcels to applicant Kevin Haas, Gregor seconded. The motion carried with a 5-0 voice vote.

- b. Review and approval on a request to vacate City right-of-way on 28th Ave E between parcels 201-03744-0000 and 201-03742-0000. Applicant: Kevin Haas.

Wiley presented the item to Plan Commission.

Staff recommends APPROVAL of the request to vacate City right-of-way on 28th Ave E between parcels 201-03744-0000 and 201-03742-0000 contingent on the following conditions:

- *The right-of-way vacation and land transfer request shall be contingent on one another. Both shall require approval in order for either to proceed.*
- *The applicant shall be responsible for the costs associated with the right-of-way vacation including but not limited to: Certified Survey Map, closing costs, Register of Deeds recording fees, etc.*
- *Purchase price shall be \$0.25 per square foot as determined by ordinance. Based on an area of 9,124 square feet the purchase price shall be \$2,281.00 for the right-of-way area.*
- *Pending approval of the land transfer request, the applicant shall combine the former right-of-way parcel with parcels 201-03742-0000, 201-03743-0000, and 201-03744-0000 via Certified Survey Map (CSM) 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 determined through coordination with the Department of Public Works and applicant shall obtain all right-of-way approvals prior to constructing access to the property.*
 - *Applicant shall obtain required approvals and zoning and building permits prior to constructing any improvements on the resulting property.*

Jeff Beirl moved to approve the vacation of the City ROW, Eades seconded. The motion carried with a 5-0 voice vote.

- c. Review and approval of a Certified Survey Map to legally create parcel #201-04859-0200, zoned Future Development (FD). Applicant: Peter Nelson

Staff recommends APPROVAL of the CSM proposed for Parcel # 201-04859-0200 contingent on the following conditions:

- *Approval is only for the CSM as proposed. Prior to constructing drive access or any improvements on the parcel, the applicant/owner shall obtain all required staff, Plan Commission, and Common Council reviews including CUP approval.*
- *Any future drive access shall meet all applicable Municipal Code and Unified Development Ordinance (UDO) standards and require review and approval by Planning and Public Works staff prior to construction.*
- *Applicant to submit a copy of the recorded CSM City staff once it is recorded at the Ashland County Register of Deeds.*

- i. Jeff Beirl moved to approve, Eades seconded. The motion carried.

7. Discussion Items:

8. Announcement/Reports/Comments/Questions

- a. An announcement was made regarding a fire at the Deepwater Grille caused by wiring in the attic. The alarm system caught it before it became widespread.

9. Adjournment

- a. John Beirl moved to adjourn the meeting, Jeff Beirl seconded. Motion carried, meeting adjourned at 7:37pm.

Recorded by:

Chianne Schweitzer, Administrative Clerk
Steven Wiley, Planning and Development
Director



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

STAFF REPORT

Plan Commission – March 19th, 2024

Agenda Item # 6a: **Review for a Certified Survey Map to Create Parcels 201-05130-0000, 201-05128-0100, and 201-05128-0200 under the Unified Development Ordinance**

Zoning District: Future Development (FD)

Property Address: 2400, 2900 Knight Road

Parcel #: # 201-05130-0000, 201-05128-0100, and 201-05128-0200

Applicant: Patrick McKuen DBA Pine Ridge Land Surveying, LLC.

Staff Contact: Steven Wiley

Background

Patrick McKuen DBA Pine Ridge Land Surveying, LLC. requests review and approval of a Certified Survey Map (CSM) to legally create parcels # 201-05130-0000, 201-05128-0100, and 201-05128-0200. The parcels were illegally split and created on March 15, 2017 according to the Ashland County property records. The current Unified Development Ordinance took effect in 2012 prior to the parcel split. The CSM is to create the parcel legally under the UDO. No site modifications are planned currently. Staff informed the surveyor and applicant that a CSM and Plan Commission review are required since additional parcels were created after the effective date of the UDO. The parcel and neighboring properties are served by Knight Road which provides access to 17th Ave E.

Three parcels are included under this CSM. The three parcels are shown in the table below.

Certified Survey Map Parcels	
Parcel #	Area
201-05130-0000	20 acres
201-05128-0100	16.78 acres
201-05128-0200	23.47 acres

The subject parcels are located on the eastern side of the City, south of the Industrial Park. The parcel at the corner of Woodbury Lane and Knight Road contains a single-family home and detached garage, the parcel at 2400 Knight Road contains a large storage building and access drive, and the parcel at 2900 Knight Road contains a single-family home and detached garage. The owner of the property at 2900 Knight Road approached City staff because of the illegal parcel split designation on her property.

She and her late husband purchased the property after the split happened and inherited the situation. Planning staff seeks to work with the property owner and her surveyor to address the issue. The Plan Commission review and approval of the CSM would create the parcels legally and remove the illegal lot split designation currently attached to the properties. If approved it would allow the owners of the three parcels to construct improvements on their properties.

Existing Land Use	Zoning
Parcel 201-05130-0000 (2400 Knight Road) – Single-Family Residential	Future Development (FD)
Parcel 201-05128-0100 (2400 Knight Road) – Storage Building	Future Development (FD)
Parcel 201-05128-0200 (2900 Knight Road) – Single-Family Residential	Future Development (FD)

Existing Uses		Zoning
North	Single-Family Residential, Industrial	Future Development (FD), Heavy Industrial (HI)
South	Vacant - Wooded	Future Development (FD)
East	Single-Family Residential, Wooded	Future Development (FD)
West	Single-Family Residential, Wooded	Future Development (FD)

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Special Districts & Nodes & Conservation Buffer



The subject properties are outlined in the above aerial image.

Standards for CSM Review without Public Dedication

The City of Ashland's Unified Development Ordinance Section 3.39 CSM Approval Criteria (and all subsections thereof), outlines the process for approving CSMs without public dedication for the City of Ashland. Part 9 (Sections 9.1-9.3 of the UDO) includes standards for land divisions and infrastructure design standards for parcels within the city. The following decision criteria were used to review the submitted CSM:

1. Complete Application

The applicant submitted a complete application with the draft CSM and explained the reasoning for the proposed CSM. The CSM itself has the information necessary per WI State Statutes and local ordinances for staff and the Plan Commission to review. The CSM was drawn by a licensed surveyor and has a legal description, legend, scale, details, and areas of the portions of the subject property.

2. Consistency with Provisions of the Unified Development Ordinance and State Law

The CSM is consistent with Section 236.34 of the Wisconsin Statutes and City of Ashland Unified Development Ordinance. Planning staff has discussed situations such as this with the City Attorney and the Unified Development Ordinance allows for the subdivision of parcels via plat or CSM. The property at 2900 Knight Road is already served by Knight Road which is maintained by the City. Currently the applicants request approval of the CSM to create legal parcels and to allow for future improvements on the property. The CSM would allow for the legal creation of the three parcels. The CSM meets the requirement of showing a means to access the parcels. The lot areas of 20 acres, 16.78 acres, and 23.47 acres all exceed the 5-acre minimum parcel size for the Future Development zoning. It is important to note however that the approval request is only for approval of the CSM itself and not for future improvements which would require additional approvals.

3. Consistency with City's Comprehensive Plan and other Adopted Plans and Standards

The UDO requires that CSMs have consistency with the Comprehensive Plan.

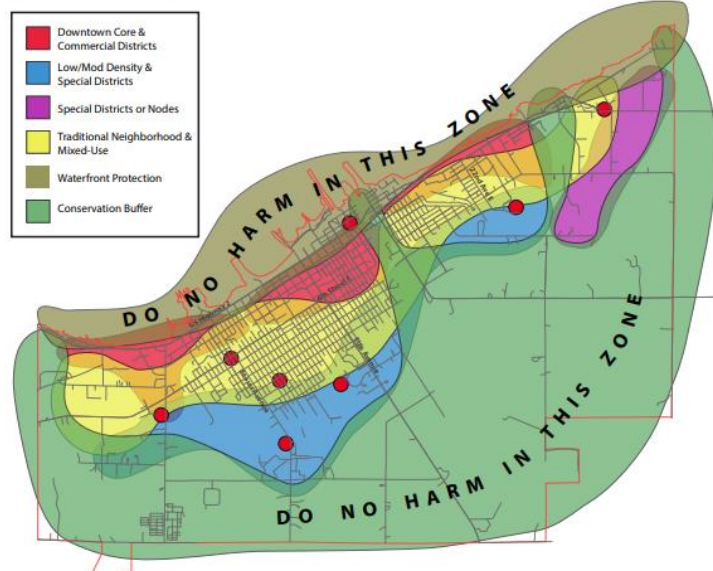
The parcels were created via an illegal lot split back in 2017. One is occupied by a single-family home and detached garage at the corner of Woodbury Lane and Knight Road. The property at 2400 Knight Road contains a large structure used for storage and associated access drive. The property at 2900 Knight Road contains a single-family home and detached garage. The owners of 2400 and 2900 Knight Road worked with surveyor Pat McKuen to draw up the CSM submitted for review under this agenda item. They would like to remove the illegal lot split designation from their properties and have the ability to construct improvements on their properties in the future. They and their surveyor have brought forward the CSM to make the lots conforming under the UDO. The CSM would address the illegal lot split issue for the owners of 2400 and 2900 Knight Road. Since no change in the land use is proposed at this point, staff does not have concerns with the CSM as proposed. The CSM as proposed and approval of the CSM is consistent with the Comprehensive Plan.

Review Recommendation

Staff recommends APPROVAL of the CSM proposed for Parcels # 201-05130-0000, 201-05128-0100, and 201-05128-0200 contingent on the following conditions:

- Approval is only for the CSM as proposed. Prior to constructing additional drive access or any additional improvements on the parcels, the applicants/owners shall obtain all required staff, and if applicable, Plan Commission, and Common Council reviews.
- Any future drive access shall meet all applicable Municipal Code and Unified Development Ordinance (UDO) standards and require review and approval by Planning and Public Works staff prior to construction.
- Applicant to submit a copy of the recorded CSM City staff once it is recorded at the Ashland County Register of Deeds.

FUTURE LAND USE PLAN

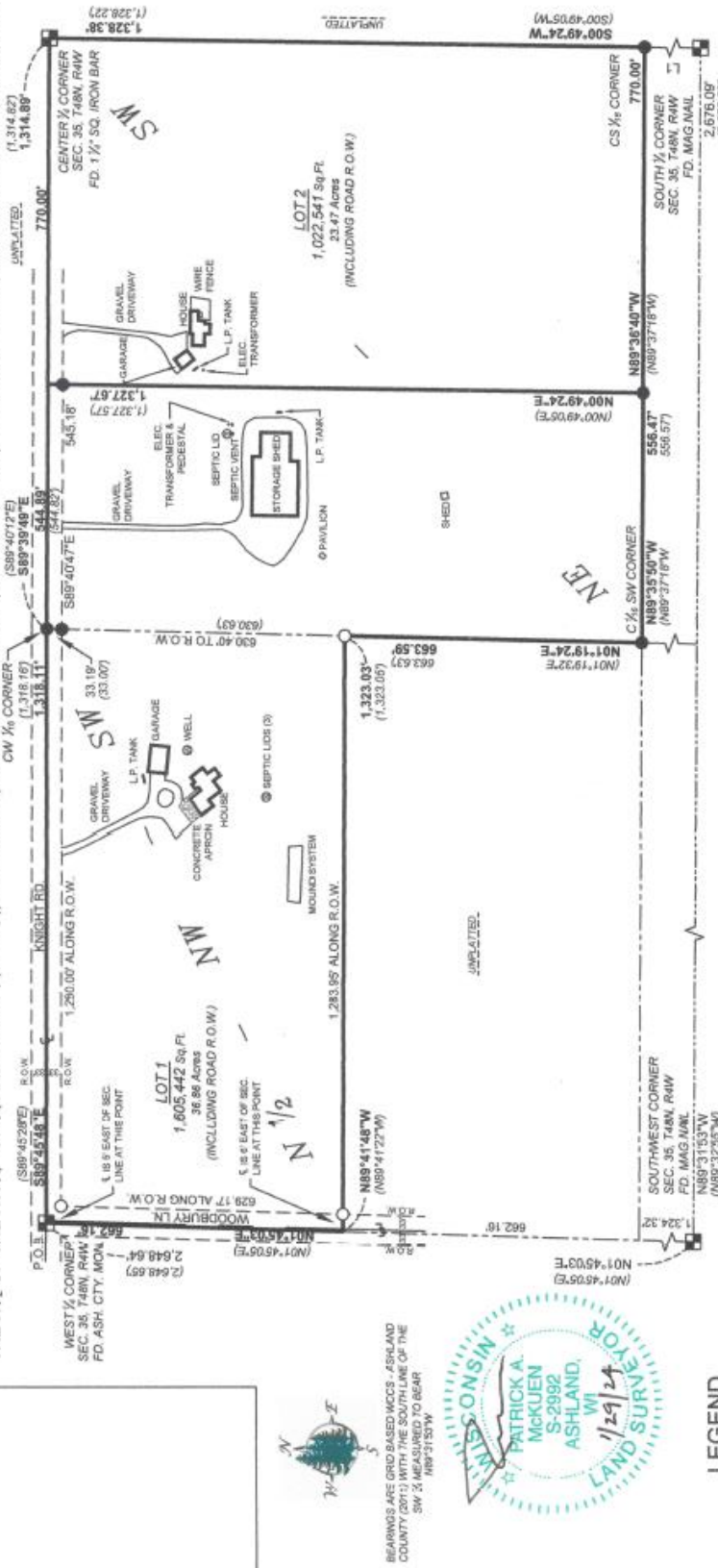


Additionally, as a Public Informational Meeting is scheduled for the proposed CSM review, the Plan Commission should hear all input from the public prior to making a determination. A Class 2 public notice was issued on March 5th and March 12th and discretionary letters were sent to all surrounding property 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.

THE N 1/2 OF THE NW 1/4 - SW 1/4 AND THE NE 1/4 - SW 1/4, SECTION 35, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.



ASHLAND COUNTY CERTIFIED SURVEY MAP NO. _____

THE N $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ - SW $\frac{1}{4}$ AND THE NE $\frac{1}{4}$ - SW $\frac{1}{4}$,
SECTION 35, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND,
ASHLAND COUNTY, WISCONSIN.

Surveyor's Certificate

I, Patrick A. McKuen, Registered Land Surveyor S-2992, hereby certify that I have surveyed, divided and mapped; The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ - SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ - SW $\frac{1}{4}$, Section 35, Township 48 North, Range 4 West, City of Ashland, Ashland County, Wisconsin, more particularly described as follows:

Beginning at the W $\frac{1}{4}$ corner of said section; Thence S89°45'48"E along the monumented north line of the NW $\frac{1}{4}$ - SW $\frac{1}{4}$ a distance of 1,318.11 feet to the CW $\frac{1}{4}$ corner; Thence S89°39'49"E along the monumented north line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ a distance of 1,314.89 feet to the C $\frac{1}{4}$ corner; Thence S00°49'24"W along the monumented east line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ a distance of 1,328.38 feet to the monumented CS $\frac{1}{4}$ corner; Thence N89°36'40"W along the monumented south line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ a distance of 770.00 feet; Thence N89°35'50"W and continuing along said monumented south line a distance of 556.47 feet to the monumented C $\frac{1}{4}$ SW corner; Thence N01°19'24"E along the monumented west line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ a distance of 663.59 feet; Thence N89°41'48"W along the south line of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ - SW $\frac{1}{4}$ a distance of 1,323.03 feet to the west line of the SW $\frac{1}{4}$; Thence N01°45'03"E along said west line a distance of 662.16 feet to the Point of Beginning.

That the above described parcel of land contains 2,627,963 square feet or 60.33 acres.

That I have made this map at the direction of Christine Formella & Eugene Ronning, OWNER'S of said lands.

That said parcel is subject to any easements, restrictions and right-of-ways of record.

That I have fully complied with the provisions of Section 236.34 of Wisconsin Statutes and the City of Ashland Subdivision Control Ordinance in surveying, dividing and mapping said parcel.

That this map correctly and accurately depicts the exterior boundaries of said parcel and the division thereof made.

dated this 29 day of January, 2024

Pine Ridge Land Surveying
Patrick A. McKuen
WI PLS S-2992



CITY OF ASHLAND PLANNING & ZONING APPROVAL CERTIFICATE

I, STEVEN WILEY, CITY OF ASHLAND ZONING ADMINISTRATOR,
DO HEREBY APPROVE THIS CITY OF ASHLAND CERTIFIED SURVEY MAP

SIGNED: _____
STEVEN WILEY

DATED THIS _____ DAY OF _____, 2024.

Pine Ridge Land Surveying, LLC.

Professional Land Surveying Services

Value & Quality in a Timely Manner.

PATRICK A. MCKUEN, PLS

1424 1/2 Lake Shore Dr. W.

Ashland, Wisconsin

Phone (715) 682-2969

WWW.PINERIDGESURVEYING.COM

PROJECT NO. FORMELLA-RONNING-35-48-4

SHEET 2 OF 2 SHEETS



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

STAFF MEMO

Plan Commission – March 19th, 2024

Agenda Item # 6b: **Conditional Use Permit Request to allow for Private Street Access and Future Improvements on a Parcel Subdivided after the Effective Date of the UDO and Served by Existing Private Street Access**

Zoning District: Future Development (FD)

Property Address: 2900 Knight Road

Parcel #: # 201-05128-0200

Applicant: Christine Formella

Staff Contact: Steven Wiley

Background

Staff met with property owner Christine Formella regarding the illegal parcel split designation she and her late husband inherited when they purchased the property at 2900 Knight Road (Parcel # 201-05128-0200). When talking with the property owner, Planning staff was under the impression that Knight Road was a private access rather than a public right-of-way. If Knight Road was a private access rather than a public right-of-way the UDO outlines a process by which parcels can be created/subdivided and served by private access through Plan Commission and Common Council approval and issuance of a Conditional Use Permit. Since meeting with the property owner, planning staff discussed the Conditional Use Permit request with the Public Works Director. The Public Works Director explained that Public Works maintains Knight Road including handling of snow plowing during the winter. Staff originally included the Conditional Use Permit request on the Plan Commission agenda for this meeting with the understanding that due to the subdivision of/creation of additional parcels served by private access a CUP would be required. Since Knight Road is an existing public road maintained by the City the CUP is not required and the CSM approval would suffice to create the subject parcel legally under the existing ordinance. The property owner would have the ability to obtain approvals and permits to construct additional improvements on her parcel in the future.

Staff discussed the item with the City Attorney's office also and according to a 2021 WI Department of Transportation Gas Tax Map the City of Ashland claims Knight Road as a local road for gas tax purposes. Staff requests that the Plan Commission withdraw the Conditional Use Permit item from the March 19th, 2024 agenda. Staff will work with the Finance Department to refund the application fee to the applicant.



The subject property is outlined in the above aerial image



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

STAFF REPORT

Plan Commission – March 19th, 2024

Agenda Item # 6c: Conditional Use Permit Request to allow for an Office Land Use

Zoning District: Mixed Residential/Commercial (MRC)
Property Address: 417 9th Ave W
Parcel #: # 201-00364-0000
Applicant: Ninth Avenue Investments, LLC/Gary LaPean
Staff Contact: Steven Wiley

Background

Property owner Ninth Avenue Investments/Gary LaPean requests review and approval of a Conditional Use Permit (CUP) to allow for an office use on the property at 417 9th Ave W (Parcel # 201-00364-0000). The subject parcel is located in the central portion of the City, two blocks south of Downtown and adjacent to the 5th Street Corridor. The parcel is 2.79 acres (approximately 121,532.4 sq. ft.) in area. The parcel contains a large (approximately 16,000 square foot) single-story building that previously housed the Evergrow Learning Center. A second building is located on the western half of the property and is currently used for general storage. There are two associated parking and drive areas. Prior to serving as the home of the Evergrow Learning Center the property housed the Printing Plus business. With the closure of the Evergrow Learning Center the property owners met with Planning staff to discuss a change of land use from a daycare use to an office use. The owners entered into a lease agreement with Northwest Wisconsin CEP who will use the property to house its offices. A previous Conditional Use Permit was issued in 2018 for the Evergrow Learning Center because the Daycare land use was a conditional use in the property's Mixed Residential/Commercial (MRC) zoning district. An office land use is a conditional use in the MRC zoning district. Due to the proposed change in use from a daycare to an office facility, a new Conditional Use Permit is required.

Existing Land Use	Zoning
Former Daycare, now Offices	Mixed Residential/Commercial (MRC)

Existing Uses		Zoning
North	Single-Family Residential, Vacant	Mixed Residential/Commercial (MRC)

South	Single-Family Residential, Institutional (Saron Evangelical Lutheran Church)	Single and Two-Family Residential (R-2)
East	Ashland Housing Authority, Multi-Family Residential	Mixed Residential/Commercial (MRC)
West	Single-Family Residential, Vacant	Mixed Residential/Commercial (MRC)

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



The subject property is outlined in the above aerial image.

Site Design and Parking

The subject property includes a large 16,000 square foot commercial building used previously for the Evergrow Learning Center. The building includes a main entrance off of 9th Ave W and two access drives and parking areas off of 9th Ave W. Much of the northern 1/3 of the parcel is greenspace and wooded along the northern edge. A smaller separate building is located to the west of the main building. The smaller building is used for general storage and this would remain the case. No changes are currently proposed to the site. The spaces used for Northwest CEP's offices account for approximately 8,000 square feet of the building's floor area. The remaining 8,000 square feet of the building will remain vacant for the time being.

Parking

The subject property contains two surface parking areas. Ordinance requires one parking space per 300 square feet of gross floor area for an office use. There is enough parking for the office use as proposed. No changes are proposed to the existing parking.

Landscaping

The northern edge and southwestern corner of the subject property are wooded. No changes are proposed to the existing wooded areas of the site. Green space is located between the wooded area on the north and parking area. Green space is also located south of the main building on the southern portion of the site. Ordinance does not require additional landscaping because no site disturbance will occur.

Lighting

No changes are proposed to any lighting on the site at this time.

Building Elevations

No changes are proposed to the existing building exteriors.

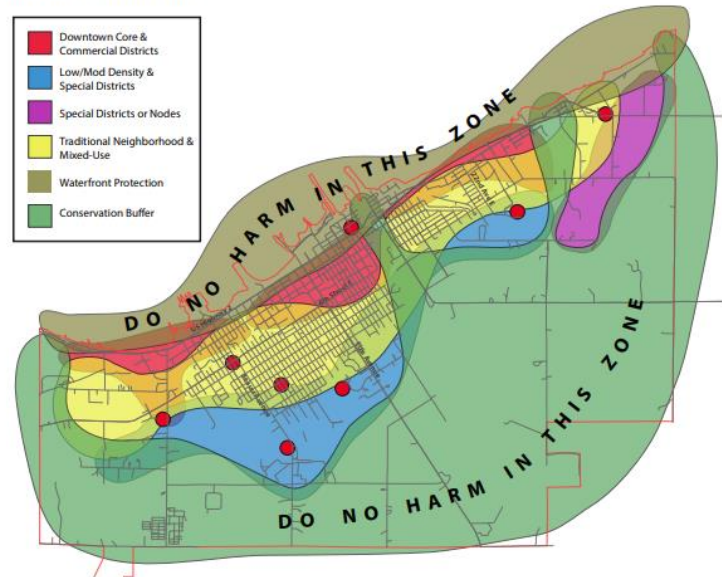
Standards for Conditional Use Review

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

1. Consistency with Comprehensive Plan.

This Conditional Use Permit is consistent with the goals of the Comprehensive Plan. The subject property is located within the Downtown Core and Commercial Districts. The Future Land Use Map does not rigidly define land use districts but allows some overlap and flexibility to accommodate different uses as needed. The Downtown Core and Commercial Districts zone covers the downtown and many of the areas immediately south. The Comprehensive Plan recognizes that commercial uses make up the majority of these districts and recommends that mixed use development increasingly populate these areas. The subject property is occupied by a large commercial building that predates the Comprehensive Plan and current UDO. The change of use from a daycare to an office use is consistent with the Downtown Core and Commercial Districts zone in the Future Land Use Map and the Comprehensive Plan.

FUTURE LAND USE PLAN



2. Compatibility.

The office use is compatible with the current Unified Development Ordinance, Mixed Residential/Commercial Zoning, and surrounding properties. The Conditional Use Permit requested would allow for the proposed

change of use from a daycare to an office use. No changes are proposed for the exterior of the property. Staff does not anticipate issues with traffic, noise, stormwater runoff, etc. If the owners or tenant(s) would want to make any interior or exterior changes to the property approvals and permits would be required prior to doing so.

3. Importance of Services to the Community.

Northwest WI CEP will maintain offices at the property and administers workforce development programs in northwest Wisconsin. Programs administered also include job seeker services, business services, and youth services. The subject property is centrally located in Ashland and according to the owners no interior or exterior changes are needed for the property to serve as offices. Northwest WI CEP fulfills an important role in the community and beyond and will benefit from having an office in a central location close to the downtown, Ashland Housing Authority, and other amenities.

4. Neighborhood Protections.

The proposed office use will operate during normal business hours from 8:30 am to 4:30 pm. Staff does not anticipate significant increases in traffic or changes in traffic patterns. No exterior changes are proposed to the property. Any changes proposed would require staff and if applicable, Plan Commission and Common Council approvals.

5. Conformance with Other Requirements:

Any additional/future improvements proposed for the parcel must conform to all other applicable City code requirements, including (but not limited to):

- a. Local and state building code requirements to ensure the property meets code standards for the proposed use(s) prior to issuance of any future Building or Occupancy Permits.
- b. The applicant shall obtain necessary zoning and building approvals along with building permits for any future improvements on the property.

Review Recommendation

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

- Approval of the Conditional Use Permit to allow an office land use at the 417 9th Ave W subject property.
- Conditional Use Permit is only for the office land use proposed and not for any additional uses or improvements. If any additional land uses are proposed such uses will require additional Conditional Use Permit approval through Plan Commission and the Common Council.
- Prior to the construction of any future improvements on the parcel, the owner(s) shall apply for and obtain any required approvals and permits.

Additionally, as a Public Hearing is scheduled for the proposed CUP review, the Plan Commission should hear all input from the public prior to making a determination. A Class 2 public notice was issued on March 5th and March 12th and discretionary letters were sent to all surrounding property owners within 200 feet of the subject property.

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.

STAFF REPORT

Plan Commission – March 19, 2024

Agenda Item #5d:	Site Plan Review Amendment for Hudson Square Coffee
Applicant:	City of Ashland
Property Owner:	Hudson Square, LLC
Property Address:	2419 Lake Shore Dr. E
Parcel No:	201-03307-0000
Zoning District:	Waterfront Mixed Commercial/Residential (W-MRC) with Gateway Overlay (GTWY-O), Waterfront Overlay (W-O), and Floodway Fringe
Staff Contact:	John Butler & Steven Wiley

Background

Hudson Square, LLC has acquired the former Bay View Motel at 2419 Lake Shore Drive and is adaptively reusing the existing building as a coffee shop and associated drive-through. The property owners applied for and obtained a Conditional Use Permit (CUP) through the Plan Commission and Common Council in 2023. The Plan Commission reviewed, held a public hearing, and recommended approval of the CUP at the August 15th, 2023 Plan Commission meeting. The Council reviewed and approved the CUP at the August 29th, 2023 Council meeting. The Plan Commission reviewed and approved the Site Plan for the property at the September 19th, 2023 Plan Commission meeting. The Building Inspector approved a Temporary Certificate of Occupancy for the drive-through serving area and the business has started serving drive through customers.

Since opening the drive-through the Police and Public Works Departments became aware of unsafe conditions on Highway 2 with vehicles entering the site from US Hwy 2 and exiting onto 25th Avenue East. The Police Department has requested that the property owner flip the traffic pattern so that traffic enters the site from 25th Avenue East and exits onto US Hwy 2. City staff have discussed this with the property owners who are supportive of the change. Public Works Director John Butler discussed this change with Planning staff. After discussion, the Police, Public Works, and Planning Departments have decided to pursue the amended traffic pattern for the site. No other site plan revisions are proposed. City staff is requesting a review and approval of the Site Plan amendment to flip the traffic pattern so that vehicles enter the site from 25th Avenue East and exit onto US Hwy 2. The site is approximately 1.21 acres and is located on the shore of Lake Superior alongside residences and commercial buildings. The applicant has obtained required permits and approvals and continues to renovate the existing building on site, which is approximately 4,122 sq. ft., to create a storage space, offices, seating area, coffee bar, and drive-through window. The coffee bar and seating for customers is expected to take up the majority of the building.

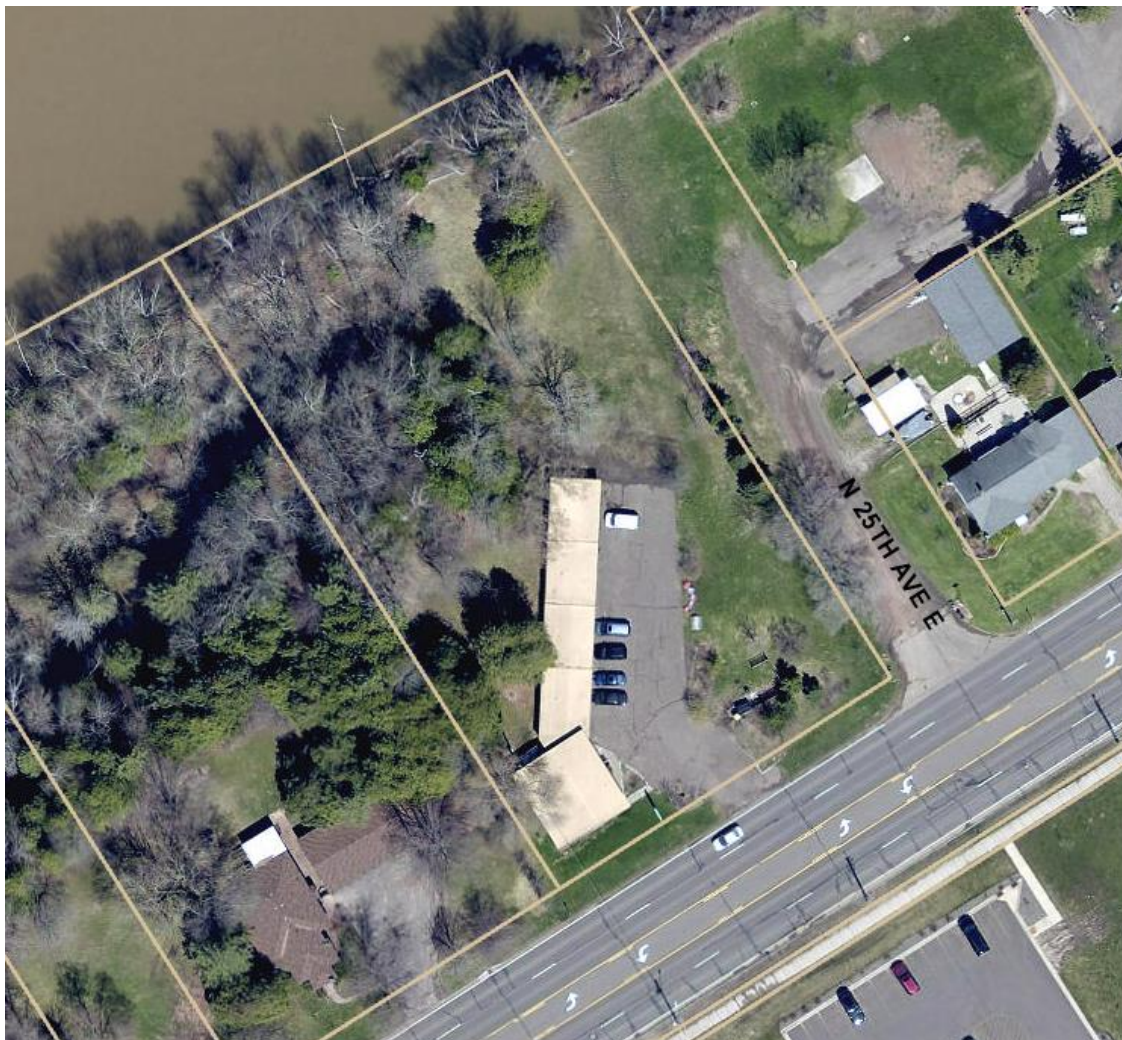
The applicant has made significant progress on the clean-up and renovations to the building, including removal of rotted siding, and demolition of interior walls and structures.

Neighbors to the site were sent discretionary letters to inform them of the Site Plan amendment to allow for additional comments.

Existing Land Use	Zoning
Vacant / formerly Bay View Motel	Waterfront Mixed Residential/Commercial (W-MRC) with applicable overlays

Existing Uses		Zoning
North	Lake Superior	N/A
South	Commercial Uses (Super Smoke Shop, Nail Salon, Wal-Mart)	Regional Commercial (RC)
East	Single Family & Commercial Uses (Toyota Dealership)	Waterfront Mixed Residential/Commercial (W-MRC)
West	Single Family Homes & Cabins	Waterfront Single Family Residential (W-SFR)

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



Standards for Review

The City of Ashland's Unified Development Ordinance, Section 781 Section 3.20 Site Plan Approval (all subsections thereof), creates the legal framework to regulate, administer, and enforce the site plan review process for the City of Ashland.

Site Plan Review

The following criteria were used to review the submitted site plan:

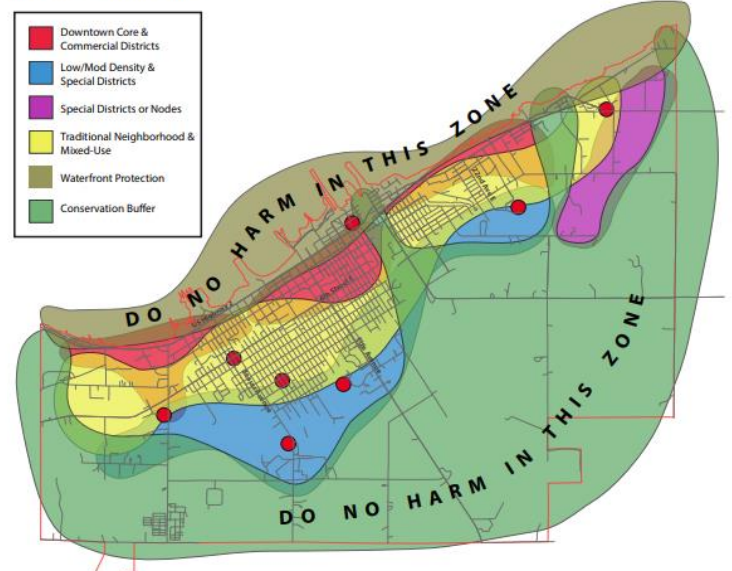
1. Consistency with Comprehensive Plan.

The development as approved is consistent with numerous goals within the Comprehensive Plan. The Comprehensive Plan explicitly states the City gateways should be revitalized to signal to vehicle traffic that they are entering the City limits. This revitalization includes design standards and a commitment to maintenance on new and re-developed sites. The applicants are revitalizing an existing building and site that formerly was subject to numerous Property Maintenance complaints pertaining to garbage and overall care. This development is following several different overlay standards and is sure to improve the overall aesthetics of the gateway, including permitted siding dimensions and impervious setbacks.

The applicant is also working within the Comp Plan's goal of sustainability. The project is reusing the existing building instead of tearing it down and the applicant is using existing infrastructure onsite including the current impervious surfaces.

This development is also consistent with the Future Land Use Plan as the site falls into the Downtown Core & Commercial Districts. This area will remain commercial and be zoned for uses similar to this with standards regarding the waterfront and gateway. The site plan remains consistent with the Comprehensive Plan and nothing is changing other than the amended traffic pattern.

FUTURE LAND USE PLAN



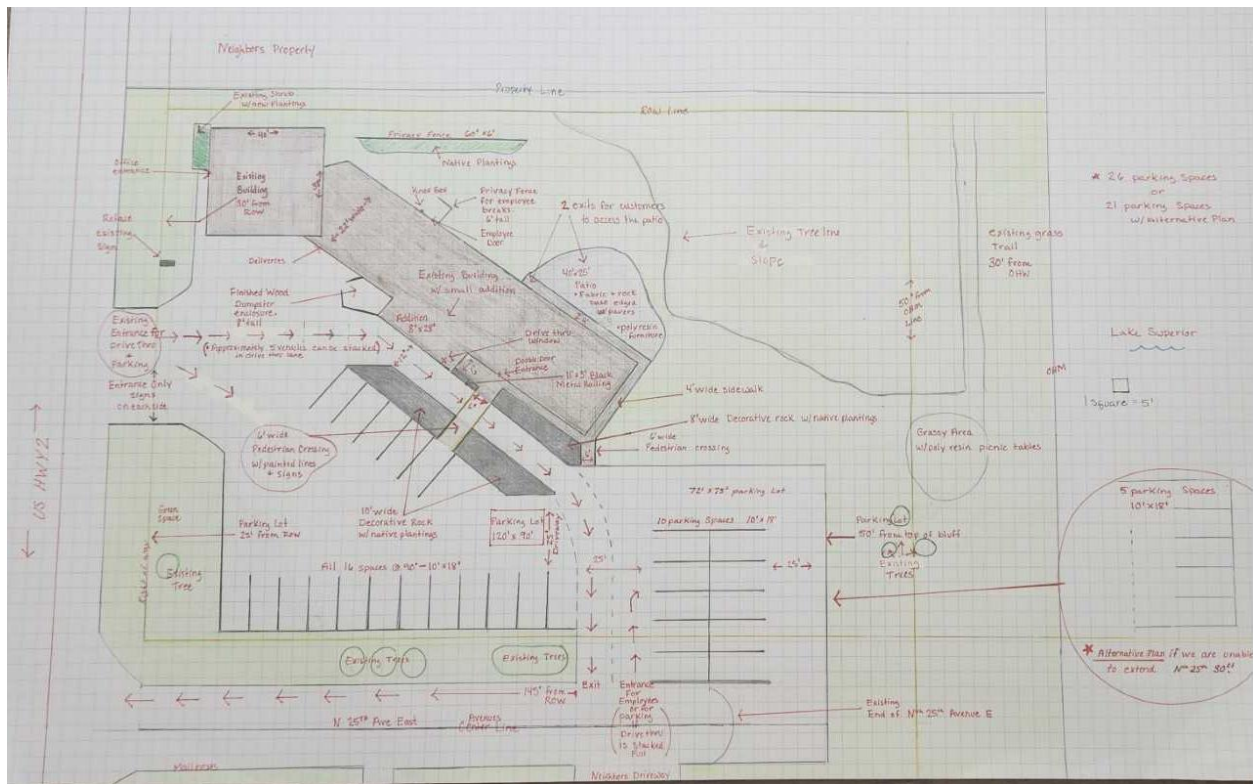
2. Project Compatibility.

The proposed development is compatible with the site and uses within 200 ft. This use within the area reflects the zoning district it is within as there are commercial and residential uses around. The applicant has also considered the concerns put forth by neighbors during the Conditional Use Permit public hearing and has implemented change to lessen impacts on surrounding residential properties. The amended traffic pattern is based on safety considerations raised by the Police and Public Works Departments.

3. Site Design

a. Site Organization.

No changes are proposed to the site layout originally proposed except for the switch in traffic patterns through the site.



Original site plan submitted by the applicant and approved under the original September 19th, 2023 Site Plan Review. The drive-through traffic pattern will flip from what is shown here so that vehicles enter from 25th Avenue East and exit onto US Hwy 2.

b. Location of Buildings.

There are no proposed changes to the location of the buildings onsite as the applicant is utilizing the existing structure. No increases to nonconformities are proposed.

c. Drives, Parking, and Circulation.

Dimensions for all proposed parking and driveway areas conform to UDO standards.

Driveway.

The proposed development will have two accesses to the site – an existing drive off of US Hwy 2 and another to be constructed at the northern end of 25th Avenue East. The new proposed driveway off of 25th Avenue East will primarily serve customers entering the site and will also serve as an employee entrance and exit.

Customers will enter from the 25th Avenue East entrance and be directed in one of two directions. The first is the drive-through line itself, which is anticipated to accommodate five cars queued in-line. The second direction will lead to the parking area. Signage will be imperative for directing customers towards the proper entrance, and the applicant is

proposing signage for this purpose. Drive-through customers will exit onto Highway 2. This is a flip of the original traffic pattern which had customers entering from US Hwy 2 and exiting onto 25th Avenue East. This change is based on safety considerations and is the only change proposed to the site plan.

Planning and Public Works staff are working with the applicant on a potential plan to pave the end of 25th Avenue East for more durability since there will be increased traffic flow in the area.

Parking.

No changes are proposed to the existing parking plan previously approved as part of the original site plan approval.

Pedestrian Access.

No changes are proposed to the pedestrian access as originally approved as part of the original site plan approval.

a. Grading and Drainage

No significant changes are anticipated.

b. Utility Services.

The applicant is proposing to use existing utility infrastructure on site.

c. Fire Prevention.

No changes are proposed to the Fire Prevention measures originally approved as part of the original site plan approval.

d. Views.

The proposed development will not significantly impact existing view sheds and scenic vistas. The applicant is proposing to use the current view windows for customer seating on the shore. No changes are proposed from what was originally approved.

e. Environmental Issues.

Environmental issues were addressed as part of the original site plan approval. No changes are proposed.

f. Landscaping/Screening.

No changes are proposed to the landscaping/screening plan approved as part of the original site plan approval.

g. Signs.

No changes are proposed to the signage approved as part of the original site plan approval.

h. Lighting.

No changes are proposed to the lighting plan previously approved as part of the original site plan approval.

4. Building Design

No changes are proposed to the building design/elevations previously approved as part of the original site plan approval.

5. Principles of Sustainability

Site features of this renovation that address principles of sustainability laid out in the UDO were addressed as part of the original site plan approval.

Review Recommendation

Staff recommends APPROVAL of the proposed site plan for the construction of a new Hudson Square restaurant at 2419 Lake Shore Dr. E (parcel #201-03307-0000), subject to the following conditions:

1. This Site Plan Amendment is to switch the traffic pattern so that vehicles enter the site from 25th Avenue East and exit onto US Hwy 2.
2. All conditions of the original Site Plan approval from September 19th, 2023 except for the original approved traffic pattern remain in effect.

Additionally, as a Public Informational Meeting is scheduled for the proposed CSM review, the Plan Commission should hear all input from the public prior to making a determination. A Class 2 public notice was issued on March 5th and March 12th 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

Steven Wiley

From: Matt Mac Kenzie
Sent: Friday, March 1, 2024 10:39 AM
To: Steven Wiley
Cc: Brant Kucera
Subject: FW: St. Luke's and Aspirus Complete Affiliation

Please share with the Plan commission's next packet, as they like local updates.

Thanks,

Matt

From: Conradi, Carlee <Carlee.Conradi@slhduluth.com> **On Behalf Of** Terhaar, Kimberlie
Sent: Friday, March 1, 2024 10:01 AM
To: Matt Mac Kenzie <mmackenzie@coawi.org>
Subject: St. Luke's and Aspirus Complete Affiliation

Dear Mayor Mackenzie,

Today is an exciting day that celebrates months of hard work between Aspirus Health and St. Luke's: We have officially completed the affiliation process. We thank everyone involved in this journey and look forward to becoming a health system that champions the future of health care.

As you know, Aspirus and St. Luke's have worked diligently since announcing a [letter of intent](#) to affiliate last summer, including [signing](#) a definitive agreement, completing due diligence, and participating in a public forum with Minnesota Attorney General Keith Ellison's office in Duluth last fall. Our combined organization will operate 19 hospitals and 130 outpatient locations with nearly 14,000 team members, including 1,300 employed physicians and advanced practice clinicians.

St. Luke's and Aspirus share a dedication to excellence and a commitment to providing high-quality, compassionate and patient-centered care. Together, we will have the ability to collaborate on service lines to improve care coordination and increase patient access. Our collaboration will also improve patient outcomes and advance the overall quality of health care across the region.

St. Luke's truly believes this affiliation will have a positive impact on our employees and our patients. Today's deal close means:

- The guarantee of employment for all employees for one year.
- A commitment to accepting all collective bargaining contracts.
- Investing in the region, which will increase the number of jobs available with strong wage and benefits packages.
- A commitment to preserving reproductive health options, recognizing that St. Luke's is the only full-spectrum provider in the region.
- Bringing innovative care models that will improve the quality of health care in rural northeastern Minnesota.

Our communities' needs are changing, and our combined organization will accelerate investments, upgrades and infrastructure improvements to continue to transform the way we care for our patients.

As always, we remain committed to our employees and patients, and we look forward to the bright future ahead.

Thank you for your continued support. If you have any questions, please don't hesitate to reach out.

Sincerely,

Kim Terhaar

Vice President, Ambulatory Care



915 East First Street | Duluth, MN 55805
Phone: 218.249.7878 | Fax: 218.249.3090
kimberlie.terhaar@slhduluth.com
slhduluth.com

This St. Luke's communication is intended for the use of the person or entity to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is governed by applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this information is prohibited. If you have received this message in error, please notify sender immediately