



Planning Commission

Tuesday, May 21, 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 April 23rd, 2024 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) to allow placement of signage above the first story of the building at 301 Main St E, parcel #201-01342-0000, zoned City Center (CC). Applicant: Pat Hunt
- b. Public Hearing and vote on Unified Development Ordinance Text Amendments. Applicant: Planning and Development Department

6. Discussion Items

7. Announcements/Reports/Comments/Questions

- a. Update on Northland College

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.

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

PLAN COMMISSION MEETING AGENDA

April 23rd, 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: Mayor Matt Mackenzie, Ana Tochtermann, John Beirl, Laurie Gregor, JoAnn Erickson, Steven Wiley (Planning and Development Director), Terri Erickson (Assistant Planner)

Absent: David Eades (Excused), Jeff Beirl

AGENDA

1. Call to Order and Roll Call
Mayor Mackenzie called the meeting to order at 6:30 pm and a quorum was declared present.
2. Approval of the Agenda
Mackenzie asked for approval of the agenda. Erickson moved and Beirl seconded to approve the agenda as proposed. The Commission voted 5-0 to approve the agenda.
3. Consent Agenda
 - a. Approval of minutes from the March 19th, 2024 Plan Commission meeting
Mackenzie asked for approval of the March 19th meeting minutes. No Commissioners had any changes for the minutes. Beirl moved approval and Gregor seconded. Motion carried 5-0 to approve the minutes as written.
4. Identify potential conflicts of interest
Mackenzie asked the Commission if anyone had any conflicts of interest and if so to identify these. No Commissioners indicated any conflicts of interest.
5. Public Comment (non-agenda items)
Mackenzie asked if there was any public comment. No one had any public comments.
6. Action Items: None
7. Discussion Items:
 - a. Potential Development on Parcel 201-04943-0000, zoned Planned Residential Institutional (PRI) Applicant: Mike Hebert

Mayor Mackenzie asked Mr. Hebert to join the Commission for discussion. He asked Mr. Hebert if Mr. Hebert could meet the Conditional Use Permit (CUP) conditions. Mr. Hebert replied that he could not do so due to the price of paving and slope issues onsite. He anticipated water backup onsite if he needed to meet ordinance requirements. Mr. Hebert stated that he had secured an estimate from Northwoods Paving and the contractor had asked him why he was doing this. Mr. Hebert stated that the opportunity cost was high here and that he could go someplace else. Building in Ashland would be convenient for him. He did not see anyone else doing pavement on their sites. Runoff was a big thing and he foresees a long-term mess on the site. Mayor Mackenzie explained that staff and the Plan Commission could not bypass the City ordinances. Mr. Hebert stated that he has talked to Mr. Wiley before and that Wiley recommended considering the Planned Development route. If Mr. Hebert could show measures to address stormwater runoff the Commission could look at the Planned Development route.

Mayor Mackenzie explained that the City could not change the ordinances overnight. Mr. Wiley explained that the Planned Development route allowed for flexibility and in some cases relief from specific ordinance provisions if it made sense for the subject site and if the applicant could show some type of offset by exceeding ordinance requirements in other areas. Mr. Beirl asked about Jolma Electric's property and whether they received unique allowances. He also asked if doing a Planned Development would have a similar effect to spot zoning. Mr. Wiley answered that this would not be spot zoning because the intent of a Planned Development was to serve as a zoning overlay over the base zoning and to allow site-appropriate flexibility which was not always possible under the base zoning. Ms. Erickson asked Mr. Wiley if he had talked to Mr. Hebert. Mr. Hebert answered that he had talked to Mr. Wiley about doing a 200-foot drive and not using road gravel. He would not mind doing a buffer or trees as was mentioned. Ms. Erickson asked how much landscaping would be required. Mr. Beirl asked if Mr. Hebert would need to come back to Plan Commission. Mr. Wiley answered that staff would work with Mr. Hebert and the Commission to determine the amount and type of landscaping and that the item would have to come back as a zone change to add a planned development overlay and then as a General Development Plan and Specific Implementation Plan. Mr. Beirl suggested trying to accommodate Mr. Hebert though the route that staff was recommending if possible. Ms. Erickson asked if Mr. Hebert was clear on what was needed. Ms. Gregor asked who decided what was needed. Mr. Wiley explained that the Planned Development allowed for staff and the Plan Commission to recommend appropriate conditions of approval to Council. Ms. Tochtermann stated that the Planned Development option made sense and recommended that staff work with Mr. Hebert on stormwater and landscaping as potential ways to offset any relief he sought from paving requirements.

Mr. Hebert stated that he was fine moving forward. Mr. Beirl stated that contrary to complaints of Ashland not being business-friendly this was an example of where the City was willing to compromise and work with an applicant. Mayor Mackenzie explained that the next step was for Mr. Hebert to discuss with staff and work on fleshing out his concept further.

Discussion concluded and Mr. Hebert thanked the Commission. *Mr. Hebert left at 6:59 pm.*

a. Update on Northland College

Mayor Mackenzie stated that there was not an update other than that discussions were still occurring regarding Northland's future. He provided updates on the 514 Main St W property, Baron Radiator adaptive reuse, Stuntz access, and boat launch. The litigation for 6th Street was done and the City and contractor had reached a settlement.

Ms. Erickson brought up the homeless shelter and asked about the situation over there. She also brought up the 1002 Willis Avenue project as an item to look at.

9. Adjournment

Mayor Mackenzie asked for a motion to adjourn. Ms. Erickson made a motion to adjourn and Ms. Tochtermann seconded. The meeting adjourned at 7:19 pm

Recorded by:

Chianne Schweitzer, Administrative Clerk
Steven D. Wiley, AICP, Planning and
Development Director



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

STAFF REPORT

Plan Commission – May 21st, 2024

Agenda Item # 6a: **Conditional Use Permit Request to allow placement of signage above the first story of the building**

Zoning District: City Center (CC)

Property Address: 301 Main St E

Parcel #: # 201-01342-0000

Applicant: Pat Hunt

Staff Contact: Steven Wiley

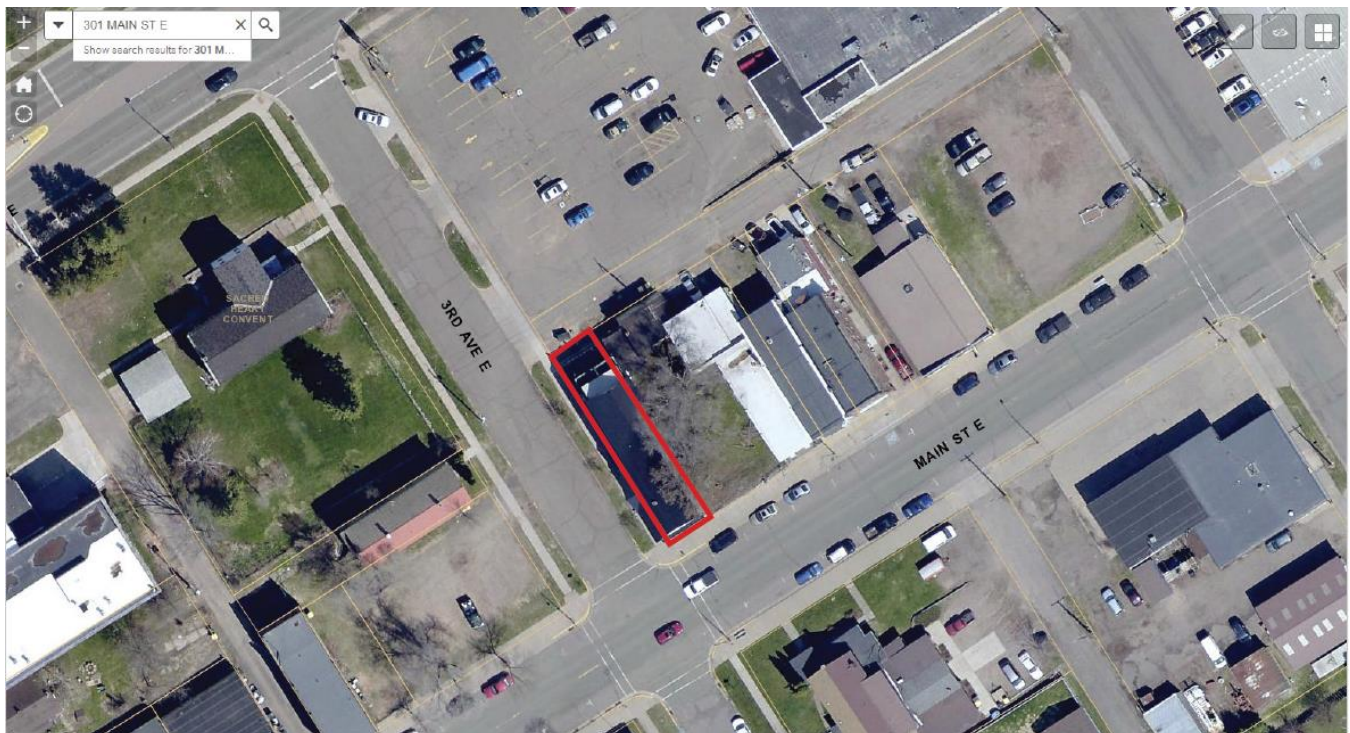
Background

Property owner Pat Hunt requests review and approval of a Conditional Use Permit (CUP) to allow placement of signage above the first story of the building at 301 Main St E (Parcel # 201-01342-0000). The subject parcel is located in the central portion of the City, three blocks east of Ellis Avenue. The parcel is 0.08 acres (approximately 3,484.80 sq. ft.) in area. The parcel contains a two-story commercial building that the owner is renting out and will house the Badger Den bar. Vehicle and pedestrian access are available via Main Street and 3rd Ave E. Alley access is also provided on the north side of the property. The owner's sign company applied for a sign permit for two wall signs. Planning staff reviewed the proposed signage and determined that the signage meets ordinance standards for wall signs based on the area of signage proposed relative to façade width. However, the City Center zoning restricts wall signs to the first floor unless a Conditional Use Permit (CUP) is granted. Staff explained to the sign consultant and the property owner that a CUP is required to allow the proposed placement of the wall signage on the 2nd story. Currently the owner has not proposed any other changes to the property.

<i>Existing Land Use</i>	<i>Zoning</i>
Commercial - Bar/Tavern	City Center (CC)

Existing Uses		Zoning
North	Commercial – Retail/Associated Parking	City Center (CC) with Gateway Overlay (GTWY-O)
South	Mixed Commercial and Residential	City Center
East	Various Commercial Uses	City Center (CC)
West	Institutional – Vacant Convent, commercial, parking	City Center (CC)

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Downtown Core & Commercial Districts/Waterfront Protection



The subject property is outlined in the above aerial image.

Site Design and Parking

The subject property includes a two-story commercial building which occupies the majority of the site. The building will be used for the Badger Den Bar. No on-site parking exists but street parking is available. No changes are proposed for the site or parking.

Parking

No changes are proposed to the existing parking.

Landscaping

The site is City Center-zoned and this zoning includes much of the downtown and zero-setback situations. Ordinance does not require additional landscaping because no site disturbance will occur and the City Center zoning allows for flexibility with landscaping given the frequent zero setback situations.

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.

Signage

The CUP request is to allow the placement of two wall signs on the 2nd story of the building. One sign is 24.4 square feet in area and planned for the front (Main St.) façade. The other is 32 square feet in area and planned for the corner side (3rd Ave E) façade. Both signs are planned for the 2nd story. Planning staff determined that the area of both signs is compliant with UDO standards for wall sign area but that a CUP is needed based on the mounting height above the first floor.



Staff does not have concerns with granting a CUP as long as the sign area is compliant with the UDO and the signage is not cabinet signs which are prohibited in the CC zoning district. The sign consultant verified that the two signs are flat panel aluminum signs with no lighting. Staff would recommend as conditions of approval that the applicant must meet the UDO area and other standards for wall signage and that the CUP is only for the two signs and placement proposed.

Standards for Conditional Use Review

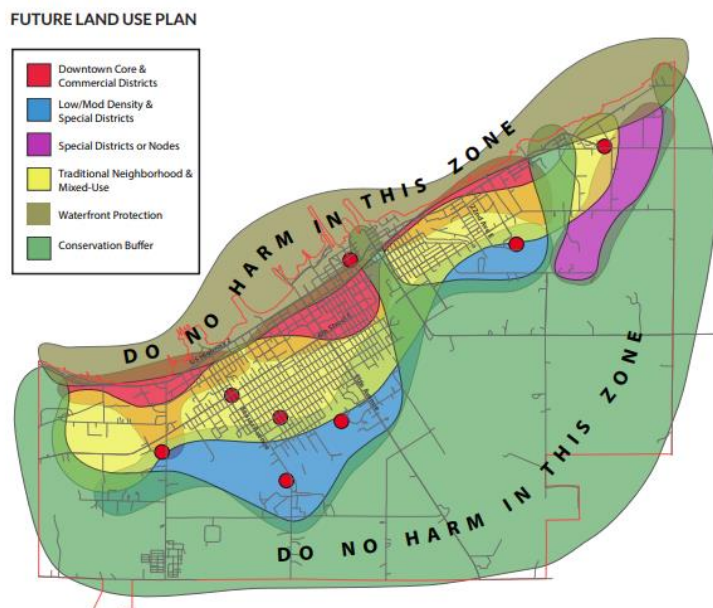
The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used 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 along with the Waterfront Protection district. 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 commercial building that predates the Comprehensive Plan and current UDO. The bar/tavern use is consistent with the Downtown Core and Commercial Districts zone in the Future Land Use Map and the Comprehensive Plan.

2. Compatibility.

The office use is compatible with the current Unified Development Ordinance, City Center Zoning, and surrounding properties. The Conditional Use Permit requested would allow for the proposed mounting of code-compliant signage on the 2nd story of the existing building. No other 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.

The City understands the need to allow for wall signage in a variety of zoning districts and situations. The CUP process for owners wishing to mount wall signs in the City Center district above the first story is intended to allow some flexibility in placement while limiting potential negative impacts aesthetically on the downtown. The City is aware of the desire for food and drink-based establishments and property owners' desires to market these.

4. Neighborhood Protections.

The proposed bar/tavern use would likely have hours similar to other comparable establishments in the area. The subject property is located along a commercial strip of Main Street where such uses are permitted and anticipated. The CUP is only to permit the signage proposed. The liquor license and associated process are overseen by the City Clerk's office. Any changes proposed to the site beyond the signage submitted here 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 for placement of two (2) wall signs according to the submitted sign proof on the 2nd story at the 301 Main St E subject property.
- Signage shall meet UDO standards.
- Conditional Use Permit is only for the signage proposed and not for any additional uses or improvements. If any additional changes are proposed such uses will require additional staff and/or Conditional Use Permit approvals through Plan Commission and the Common Council.
- A sign permit is required prior to the installation of the proposed signage.
- Prior to the construction of any future improvements on the parcel, the owner(s) shall apply for and obtain any required approvals and permits. Property owner shall apply for and obtain any required electrical permits if City staff determines electrical permits are required.

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 May 7th and May 14th 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.

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**DEPARTMENT OF
PLANNING &
DEVELOPMENT**

601 Main Street West
Ashland, WI 54806

Memo

To: Mayor and Members of the Plan Commission

From: Steven D. Wiley, AICP, Planning and Development Director

Subject: Public Hearing and vote on Unified Development Ordinance Text Amendments

Date: 05/21/2024

Planning staff is working on text amendments to the Unified Development Ordinance (UDO). These address accessory structures and accessory dwelling units. The proposed amendments will ensure consistency between different sections of the UDO regarding accessory structures. The ordinance changes involve multiple sections of the UDO and Planning staff is working with the City Attorney's office to ensure that the proposed amendments are consistent with applicable local ordinance and state law. Staff plans to bring these amendments forward at the June Plan Commission meeting. Staff would request that the Plan Commission table this item until the June meeting.

If there are any questions please reach out to Steven Wiley at 715-685-1610 or swiley@coawi.org.