Planning Commission

Tuesday, October 15, 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 July 23rd, 2024 Meeting Minutes
4. **Identify Potential Conflicts of Interest**
5. **Public Comment (non-agenda items)**
6. **Action Items:**
   a. Architectural Review of the Vaughn Public Library Renovations - Discussion/Action
   b. Public Informational Meeting - Review and Approval of a Condominium Plat for the 208 3rd Ave W Property. Applicant: Patrick McKuen
7. **Discussion Items**
   a. Update regarding parking spaces for automobiles, boats, campers in rear yards on residential properties
   b. Discussion regarding the current ordinance prohibition on the use of corrugated metal siding associated with pole barn construction
8. **Announcements/Reports/Comments/Questions**
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.

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ASHLAND

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

PLAN COMMISSION MEETING MINUTES

July 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 Mackenzie, Ana Tochterman, Jeff Beirl, Laurie Gregor, David Eades, Steven Wiley (Planning and Development Director), Terri Erickson (Assistant Planner), Ed Monroe

Absent: JoAnn Erickson (Excused), John Beirl (Excused)

AGENDA

1. Call to Order and Roll Call
   Mayor Mackenzie called the meeting to order at 6:31 pm.

2. Approval of the Agenda
   Mackenzie asked for approval of the agenda. Jeff Beirl moved to approve the agenda as proposed and Tochterman seconded. The motion carried 5-0.

3. Consent Agenda
   Mackenzie asked for approval of minutes from the May 21st, 2024 and July 2nd, 2024 Plan Commission. Tochterman moved to approve the consent agenda and Eades seconded. The motion carried 5-0.

4. Identify potential conflicts of interest
   None

5. Public Comment (non-agenda items)
   Ed Monroe stood up to address an item of concern with the commission. He noted he lives on 10th Ave West next to the 7th Day Adventist church. They have expanded their building and/or parking lot over the years multiple times and have intentions to further expand the parking lot again and had the initial plan to extend it right up to his garage and garden where the newly obtained survey has designated property lines which is now cutting though his garden, clotheslines, etc. He noted the ordinance allows the church to function and grow as a commercial property even though it is located in a residential district. It never needed a conditional use permit because it has been grandfathered in as an existing use. He felt that when surveys were done at the turn of the century, boundary markers were staked out and those have been illegally removed by the city who now depends on the GIS data for survey information that is generated electronically. His opinion is that these are no longer the same boundaries, the current property lines are wrong and it has caused

discrepancies and headaches for property owners. He would like to see the city be able to require properties that are grandfathered in but a nonconforming use be required to go through a conditional use review process. He noted he is fortunate his neighbors have been very agreeable and considerate of his perspective and agreed to move the parking lot back from his property. He feels the city should have tighter guidelines and or a public hearing process for these nonconforming properties that may not be so agreeable to respect their resident neighbors. He is asking the city to look at this closer. Mayor Mackenzie asked if Wiley understood his inquiry. Wiley responded that he did and that Mr. Monroe has been in to talk with them. Mayor Mackenzie thanked Mr. Monroe.

6. Action Items:
    a. Pubic Hearing and vote on Unified Development Ordinance Text Amendments. Applicant: Planning and Development Department

Wiley explained he has been trying to get this item on the agenda for a while. He has been working on a few amendments in response to some issues that have come up and may come up again in the future regarding accessory structures and associated conditional use permit allowances with regards to height and timing of the structures. This refers to when they can go in in relation to a primary structure on a lot. There is ambiguity in the ordinance that have caused some issues, at least one case, to come up before his time. He is looking at amending the sections (shown on the screen) and clarifying part 4 which details all the zoning districts in the city. In 2020, Section 5.1E was amended to make ADUs (Accessory Dwelling units) more flexible in the city and opened them up to all zoning districts. There is a discrepancy with this in what are listed as uses in Part 4. Wiley explained he wants to amend these sections so they are consistent with one another. 5.6 deals with accessory uses and structures and there is currently a conditional use permit allowance. This restricts accessory structure height unless you obtain a conditional use permit which allows you to build higher. We have had at least one person take advantage of this in the past, maybe others. There's also a conditional use allowance allowing these to go up prior to a principal structure on a lot. The base code would not allow this. The person that obtained a CUP to increase the height was also allowed 2 years to start construction of a primary structure after constructing an accessory structure. We want to get rid of these CUP allowances which is the most noteworthy change proposed. This would cap the maximum height and allow a higher maximum for an accessory unit above a garage. This would make clear that if you were to put up a storage building on a vacant lot there could be no living quarters or be rented. You would have to have your primary structure in place before you obtain a permit for an accessory structure. This avoids having to go through the process of using enforcement to force someone to put up a structure after the two years have gone by and they still have not done it. In the definitions section, we want to clarify that if you have a garage with living quarters above it, that would be an accessory dwelling unit – not a house. Wiley noted that these types of living units are seen along the coast, up on stilts for example for weather related reasons. But around here these are not needed and our architectural design standards are not at a level where they will mandate an aesthetically pleasing structure. A garage with living quarters above it is allowable but it would be defined as an accessory dwelling unit. Wiley then summarized these proposed changes. The standards for review and consistency with comp plan: ADU's are permitted and we realize there is a demand for different housing types and the tendency for folks to want to age in place and either live with their kids or in a smaller unit or granny flat on the property. We know there is a demand for these. We are not preventing them or trying to restrict them just make the rules and standards clear and promote health, safety, and welfare. When put up illegally they do not go through the same plan reviews and inspections. The

current case on Willis, which had life safety concerns, was rented illegally and enforcement action needed to be taken. People need to be clear abut what they are going to do and get the required inspections. Tightening up and clarifying this language will hopefully prevent most violations that occur. Compatibility is another UDO standard in regards to fitting in with the surrounding area in scale. Regarding principles of sustainability, allowing accessory dwelling units encourages infill development in lieu of sprawl into conservation buffer zones as long as they meet UDO standards. Wiley recommended approval of these UDO text amendments and asked for any questions. Mayor Mackenzie noted the staff recommends approval of the UDO text amendments and asked Wiley to let them know about the class 2 public notices provided. Wiley noted there were published in June and the weeks preceding this meeting. The paper went down to once-a-week publishing but the notice was published the Thursday preceding this meeting. Mayor Mackenzie entertained a motion to go into public hearing. Eades moved to approve and Gregor seconded. No Discussion. The motion carried 5-0. Public hearing opened. No one spoke. (If someone comes forward before end of meeting it can be revisited.) Mackenzie asked for a motion to close the public hearing. Beirl moved and Eades seconded. There was no further discussion. The motion carried 5-0.

Mayor Mackenzie asked for questions/concerns. Tochterman asked if anyone has contacted the city with concerns at this point and what is the plan for addressing people with this condition and could they lose their homes? Wiley noted we have not had anyone contact us with concerns. We are working with the resident who we have the current issue with and became aware of it by our property maintenance staff who had contact with the tenant and took enforcement action through a citation with the involvement of the City Attorney. Other than this there have not been discussions with other residents or illegal circumstances brought to the city's attention. If this happens in the future it would start with the process of staff verifying the condition and going through the enforcement process. There are concerns with people potentially losing their homes but we have not encountered it yet and it was a situation we would need to work through with our attorney and address relocating people. Gregor asked if there are some locations that are just storage units now and are we just leaving these alone? Wiley answered that some properties put up a storage building with no intent to rent out which is a separate use. Renting these out is a violation of the UDO. These would be given an initial notice and then the individual would receive a citation. The issue for the Willis property is that the owner stated he would not be living there or renting it out which ended up not being the case. Renting a garage and/or using it for living is an illegal use. Mayor Mackenzie reiterated that these storage units are for personal storage and not for renting out to others. Eades: To make it clear, there is the issue of building an accessory unit without a primary structure, a second issue of building storage units on a lot already with a primary structure? Mayor Mackenzie: recalled issue with that one that the use exceeded the limits of lot coverage so needed a CUP to do this. Eades asked for clarification on the council changing the ordinance in 2020 to allow accessory dwelling units in every zoning district. Wiley confirmed this was correct. Eades asked if this was changed now to exclude ADUs from certain districts. Wiley noted they were only removed from the Heavy Industrial and some other district where it did not make sense to have them. Wiley reiterated that before UDO Section 5.1 allowed them in all districts but part 4 excluded them in some districts. Wiley noted it needed to be updated to be consistent and clear in both sections. He is trying to be as explicit as possible to help staff be consistent. Mayor Mackenzie asked if the Commission was ready to vote.

Staff recommends approval of the included UDO Text Amendments.

Eades made a motion to approve changes presented by staff and forward them to the city council. Beirl seconded. Beirl asked how many issues of this type do we have with people or properties in Ashland. Wiley noted we have encountered several instances where we find out properties are being used in an illegal way or not to code. The former fire station off of Ellis is one example and needed to be shut down. It was an example of where we needed to get code officials involved for non-compliance – but not necessarily related to accessory structures. Mayor Mackenzie characterized it as not being "uncommon" and it revolves around other illegal issues. Beirl asked about the permitting process: If the primary residence is built, then the applicant needs to come get a permit for an accessory building or is it a separate definition. Wiley replied that typically storage is considered a residential accessory use. Eades commented that we are not limiting the ability for people to have accessory structures in zoning districts – we are simply making it clear which districts they are allowed in. He thinks it's important that we do allow accessory structures because it is a benefit to everyone. Wiley agreed. Mayor Mackenzie noted the key is to make sure it is safe for occupancy. Tochterman asked about clarification regarding primary residence allowances with an ADU. Eades commented that the ordinance currently provides this language but the changes are getting rid of the CUP allowance to have a accessory unit without a primary structure. Beirl asked when they do apply for a permit, does the City do inspections during and after? Wiley responded that this was correct. Beirl continued: because people will do what they want once they get the permit. With this process in place it should eliminate the illegal rental of accessory buildings. Wiley replied that yes it will make it a clear violation. If these places are inspected to see if they are up to code, living occupancy could be granted. What is the process for renting these out? Wiley answered that if it meets code for an accessory dwelling unit the owner can rent it out but have to submit a rental registration form. Mayor Mackenzie noted this will create additional discussion for as we move forward. Beirl stated that he would like at some point to explore such questions as: when we allow a rental of an accessory dwelling unit, can it be nightly, weekly, monthly and can we put restrictions on that? What are current restrictions? Wiley noted we do have a short term rental ordinance to be passed soon. Beirl asked if this would come before the Plan Commission. Wiley noted that it would come before the commission because it has neighborhood impacts. Mayor Mackenzie asked to call for a vote, roll call. The Commission voted 5-0 to approve the ordinance amendments as recommended by staff. Mayor Mackenzie noted that he thinks this will create some additional discussion. Lot sizes, home shops, etc.

7. Discussion Items:
    a. Update regarding parking spaces for automobiles, boats, campers, in rear yards on residential properties.

Wiley reminded the Commission of the special meeting on July 2nd to discuss this item as it related to the property maintenance staff and the increasing number of cases with people parking in rear yards on various properties. The city gets complaints because they are ordered to move the vehicles and the vehicles end up on the street. We would like to incentivize people to move them back onto their private property. We are looking at strategies to do this and clean up some of our property maintenance ordinance & UDO language for some flexibility for parking on private property. Staff is still working on language and looking at what other communities are doing. Mayor Mackenzie noted that he has asked the property maintenance staff to take photos of some problem properties. Beirl noted that the consensus was that these items are better in the backyard than taking up space on the street.

8. Announcement/Reports/Comments/Questions

Wiley noted there may be future ordinance amendments. The idea is to compile a list and bring them together for the Commission to review and do it every so often but not every meeting. He also noted that the church Mr. Monroe mentioned earlier (7th Day Adventist) may require a plan review by the Commission. Both Monroe and the church are aware of this. Mayor Mackenzie noted that we hired an additional part time property maintenance person to help catch us up. The part-time person will be done in another couple of weeks. Mayor Mackenzie wanted to note that there have been several properties that have been cleaned up even though it took some citations to get it done. The mayor noted a few specific properties. This is often a 21-day process and he asked for feedback if anyone has any other ideas on how to do it or what to do differently. Staff will be slowing down on summer property maintenance soon.

Eades asked for updates on prior topics discussed in the Commission going on in the community: For the Park and Sell lot next to the quick lube property did we come to an agreement? Mayor Mackenzie gave an update on the Park and Sell. The owners were not in agreement with lighting the lot as requested so decided not to do it. The sold land (railroad row) was given to the adjacent property owner for the price of the Certified Survey Map. Discussion was ended. Mr. Beirl noted he did not need an update right now but would like it for the future. They used to get a nice little list of the permits that have gone out and it would be nice to see what is happening in the city. Mayor Mackenzie noted that awhile back there was a report that went out with all the permits that were approved since the last meeting and another that showed all the property maintenance requests. He wanted to get back to doing this. Wiley noted we can pull these reports that will tie into our key performance indicators that the City Administrator is having departments work on. These could also be brought to Plan Commission and Council. Mayor Mackenzie thanked everyone for their time.

9. Adjournment

Mackenzie asked for a motion to adjourn. Tochterman moved and Eades seconded. The Commission voted 5-0 to adjourn. Meeting adjourned at 7:21 pm.

Recorded by:

Terri Erickson
Assistant Planner

THE CITY OF ASHLAND WISCONSIN

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

STAFF REPORT

Plan Commission – October 15th, 2024

Agenda Item # 6a:	**Architectural Building Plan Review for the Vaughn Public Library Renovations**
Zoning District:	City Center (CC)
Property Address:	502 Main St W
Parcel #:	# 201-04300-0000
Applicant:	Engberg Anderson Architects
Staff Contact:	Terri Erickson

Action(s) Requested:

Hired architect Engberg Anderson Architects is requesting an architectural building plan review for renovations to the historic Vaughn Public Library in downtown Ashland.

Applicable Ordinance Provisions:

State Statute 62.23(5) requires the Plan Commission review the "location and architectural design of any public building".

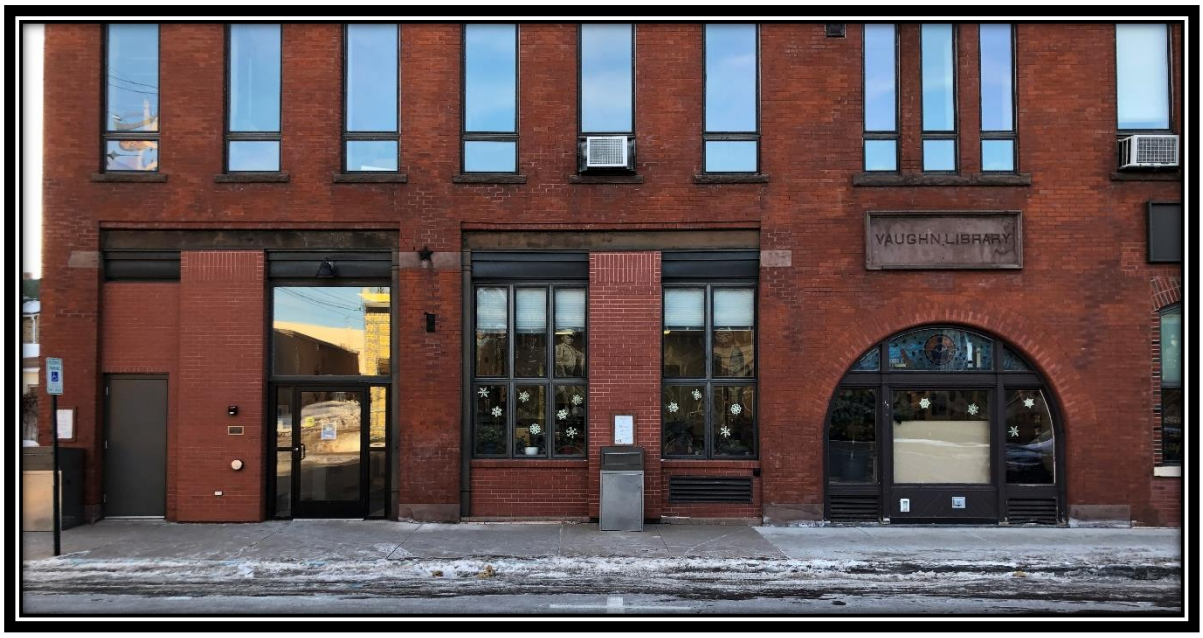
Property Location and Background Information:

Built in 1888, the Vaughn Public Library has a long history and is considered a pivotal building in the West Second Street Historic District. The large red brick structure is significant as one of the best-preserved examples of simple Romanesque Revival style architecture in Ashland and for its association with the Honorable Samuel S. Vaughn. The building is a three-story structure with a basement level that was evidently at the street level long ago. It was initially constructed as a library which was housed on the second floor along with offices on the third floor. The first floor was filled by Poole's Wholesale and Retail Dry Goods Store. Although once threatened with abandonment, the building remains largely unaltered today. Tall and narrow windows with relieving arches on the second and third floors are crowned by the typically massive brick corbel and cornice that wrap around the finely finished Vaughn Avenue and Second Street facades. Noteworthy on the Vaughn Avenue façade is the arched entry and original cut stone sign for the library. Today, the basement level is used by Friends of the Library for a Book Nook. The first and second levels house public library space, including staff offices. The third floor currently is privately occupied by non-profit organizations or health practitioners, but will become public space with Phase 2 of the renovation.

Vaugh Public Library (1888). F.J. Pool Wholesale and Retail Dry Goods was located on the Main Level with the entry off of Second Street. The Library on the second floor was accessed from Vaughn Avenue through the arched entrance. This is where the original open stair was located to access the second level.

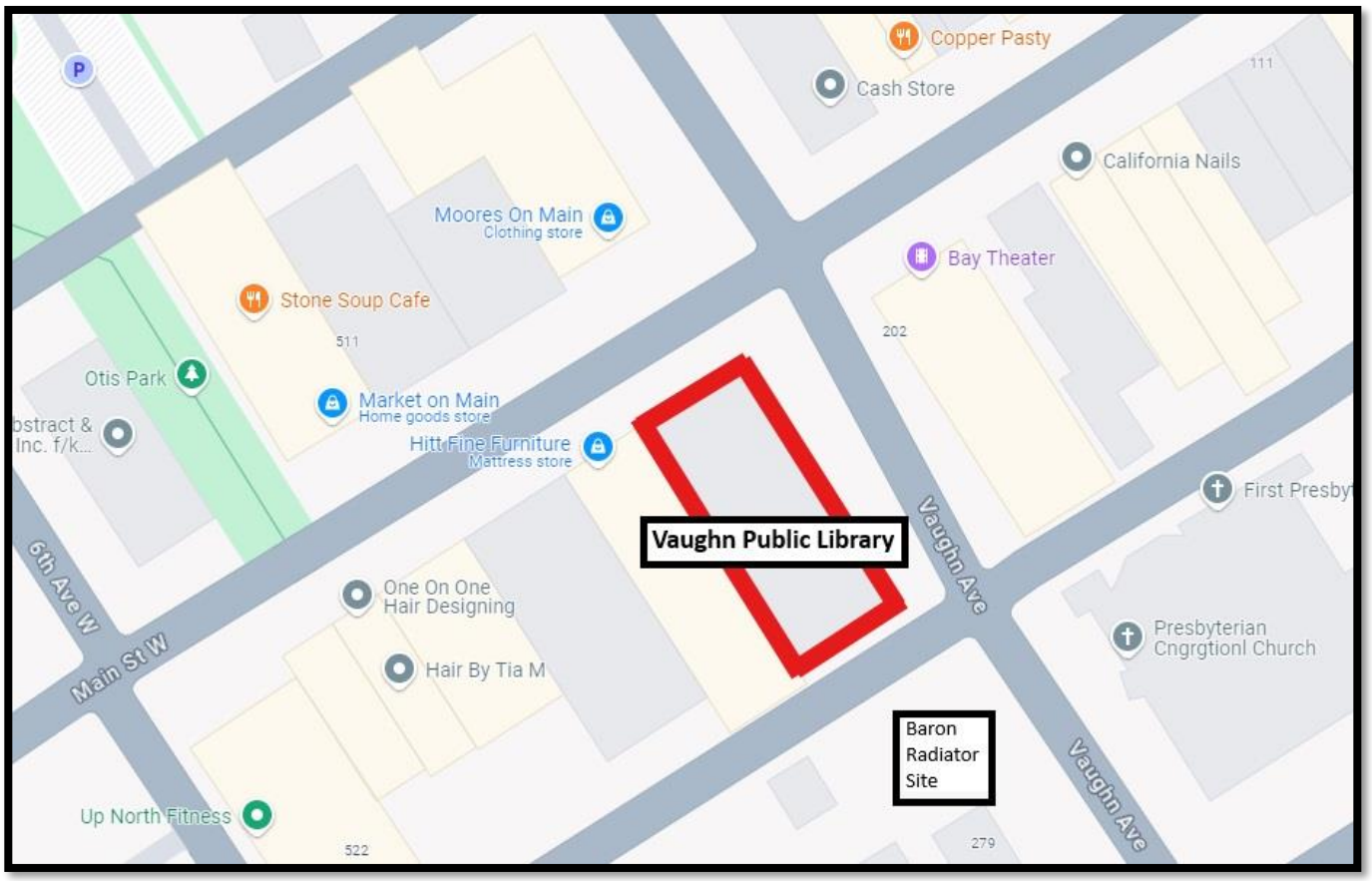
Renovations were completed at some point which relocated the library to the main level with the main entrance changed to Second Street and further enhanced with a stone surround. Original first level windows were also replaced with divided light transoms.

Renovations completed in 1983, replaced the first level windows with a new divided lite pattern and shallow arched heads. A decorative horizontal band was also applied to the building for signage. New brick replaced existing brick on the first level façade.



The original library entry was also replaced with full glazing while the main entrance on 2nd Street (now Main Street) was closed for public use. A public entry door along with other brick infill was added to the existing openings off of Vaughn Avenue that were previously all glass. This became the new main entrance and the 2nd Street entrance was maintained for required egress in case of emergency.

The subject property is outlined in the aerial image below.



Subject Site

Existing Land Use	***Zoning***
Public/Civic/Institutional	City Center (CC)

Adjacent Land Use and Zoning

Existing Uses		***Zoning***
North	Commercial – Retails (Moore's on Main)	City Center (CC)
South	Commercial Development (Baron Radiator Site)	City Center (CC)
East	Commercial – Entertainment (Bay Theatre)	City Center (CC)
West	Commercial – Retail (Hitt's Fine Furniture)	City Center (CC)

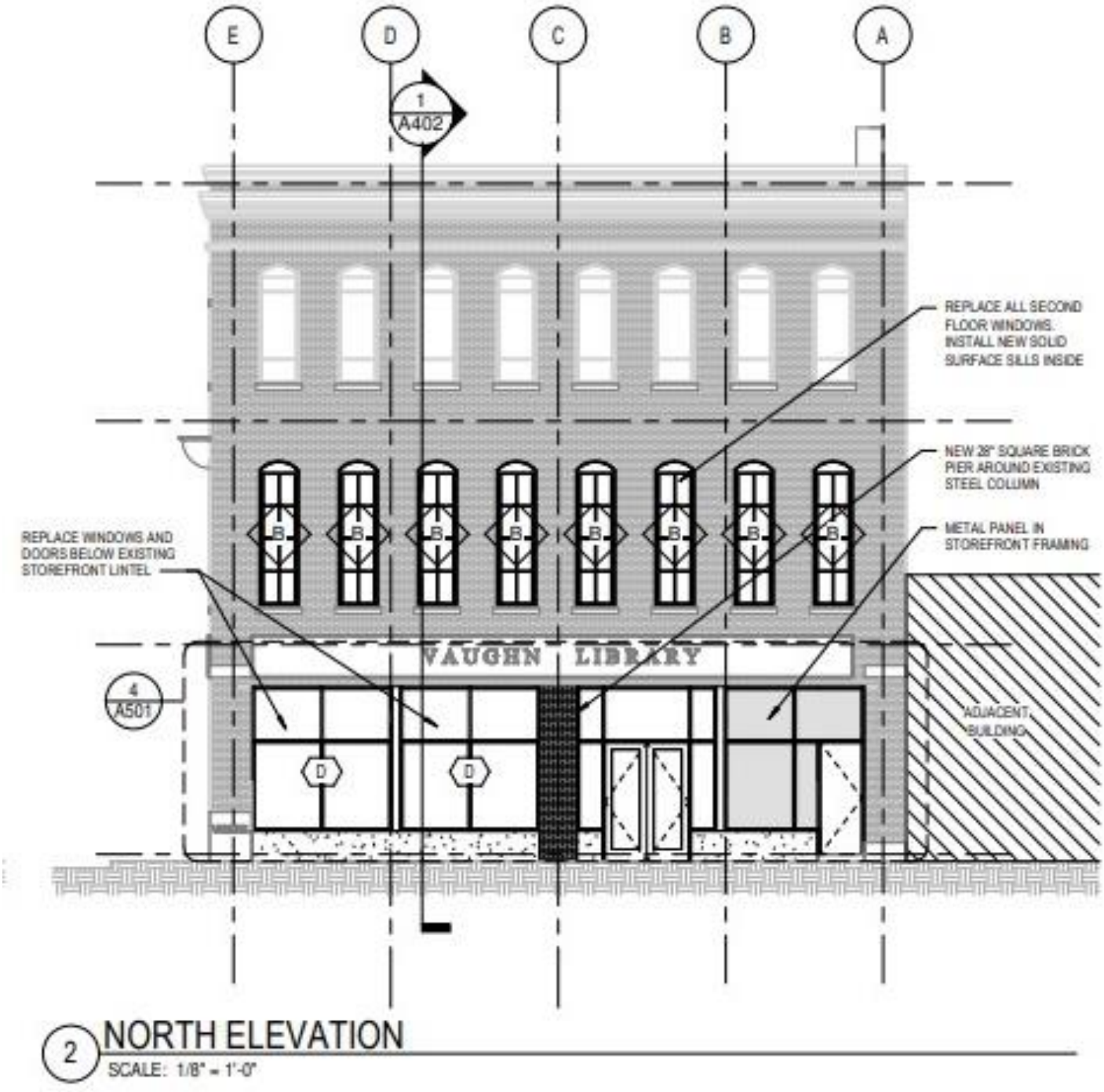
Comprehensive Plan Land Use Recommendation	**Land Use**
Authentic Ashland - February 2017	Downtown Core and Commercial Districts

Analysis

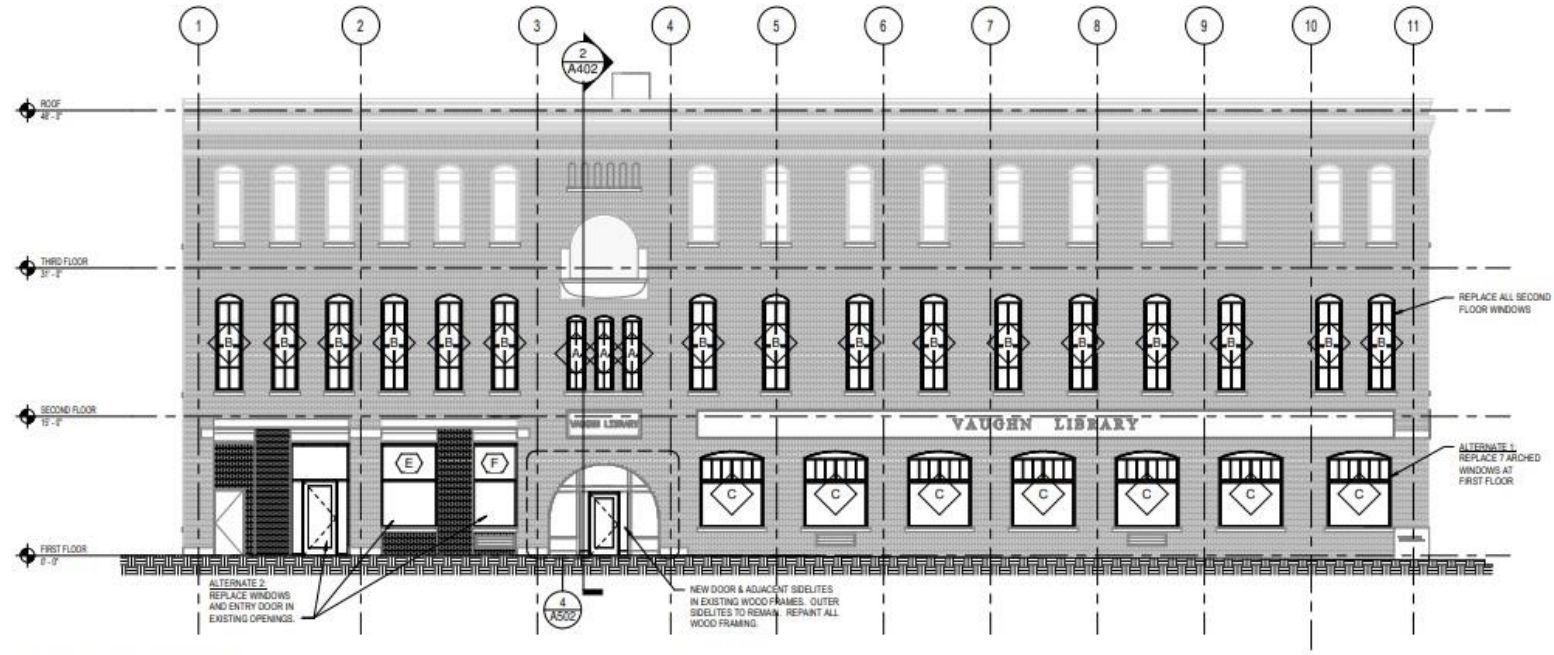
Exterior Upgrades – Main Street Elevation

Several changes to the exterior are proposed that are intended to restore some of the original features of the façade that have been diminished over the years. The north (Main Street) façade will be modified to incorporate a new primary entrance. Second floor windows will be replaced under the base bid. The arched opening on the Main Street façade will be the only existing window opening to be modified and will include the installation of a storefront system, restoring this façade back to its historic appearance.

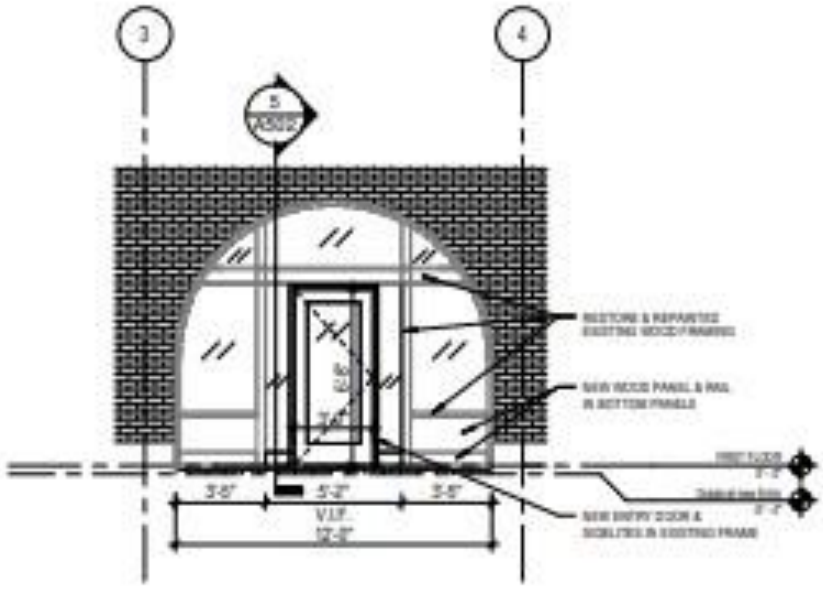
Exterior Upgrades – Vaughn Avenue Elevation



A secondary entrance will restore the historic Vaughn Ave entrance where currently there is a large arched window on the east (Vaughn Ave) elevation. Alternate bids would replace all other first floor windows on the east elevation with uniform ones that better convey the original design. It is the goal of the design team to incorporate sustainable and energy efficient strategies where feasible. The high-performance replacement glazing will have wood interiors with extruded aluminum exteriors and triple pane glass. The divided lites will incorporate grilles located between or on the outside of the glazing to increase thermal qualities. The windows will be locally manufactured.



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"



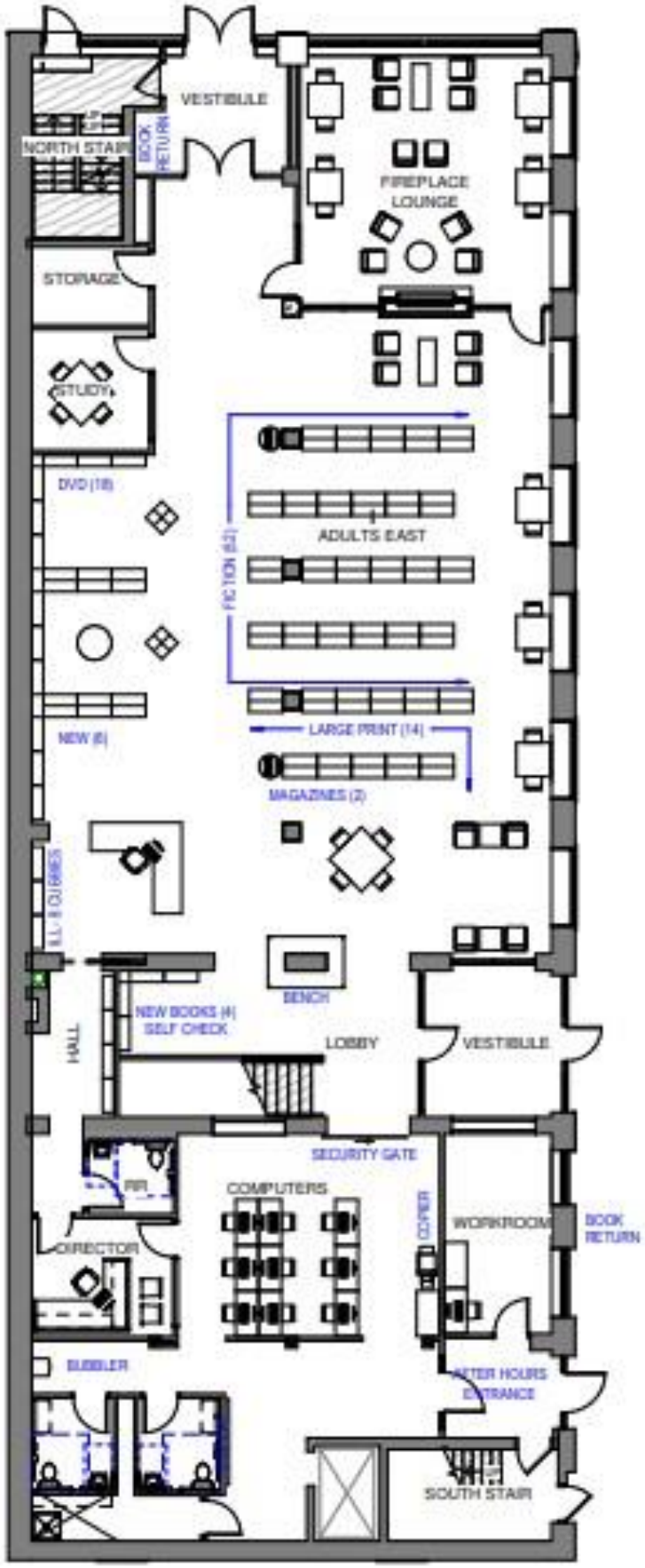
4 EAST ENTRY NEW ELEVATION
SCALE: 1/4" = 1'-0"

Interior Upgrades

The architects are proposing a number of upgrades that will bring the facility up to modern standards and codes. Both the floor and ceiling will have new finishes along with upgraded mechanical and electrical systems. New furnishings will be incorporated throughout including shelving, meeting space, tables, desks and chairs. The new centralized open stair will connect the two levels together and be more inviting to the public. The new layout provides the staff and public with more security, privacy and flexibility with added potential uses and functions.

First Level

On the north end, a new entrance vestibule will be flanked by the addition of a fireplace lounge. The central stack area will be anchored on the south by a new open stair adjacent to the new Vaughn Avenue entrance - where one had been located in the past. South of this entrance will be a secured computer room, the director's office and the existing exterior entrance with access to new public rest rooms and the second and third levels. The existing elevator and south stair will remain.

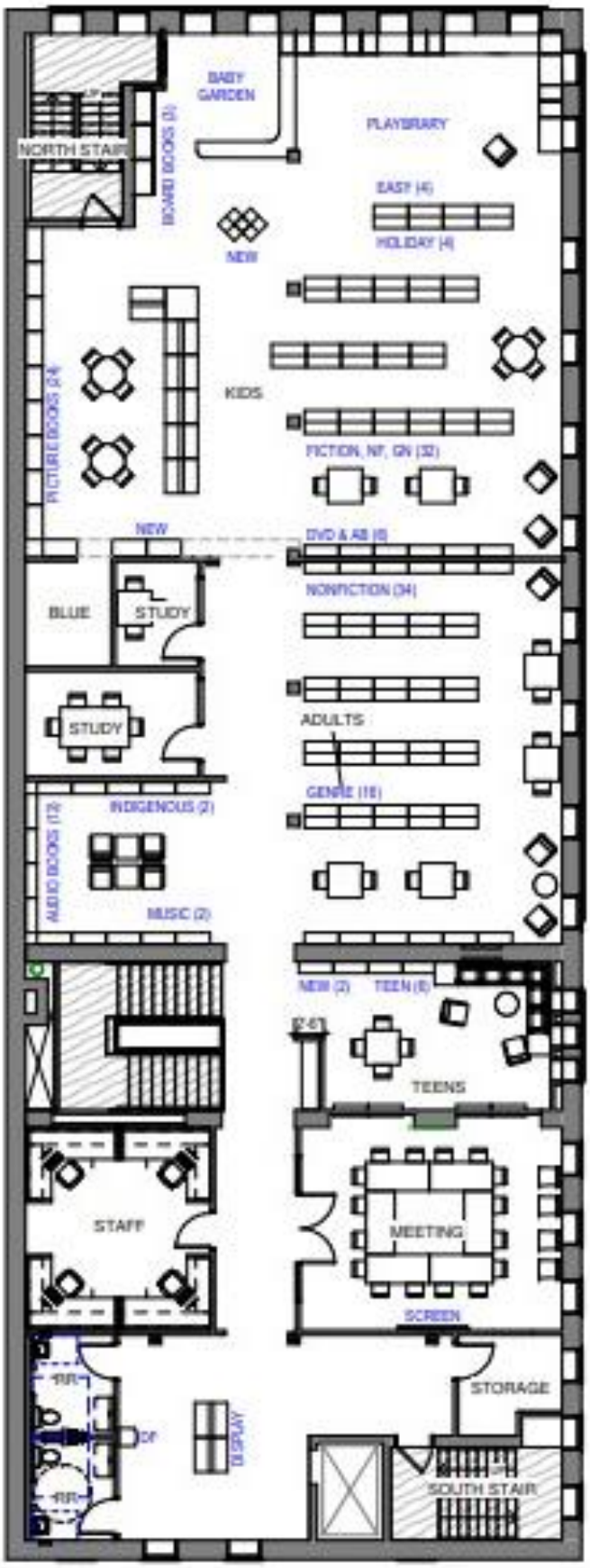


1 FIRST FLOOR FURNITURE PLAN
SCALE: 1/8" = 1'-0"

Interior Upgrades

Second Level

The north end will contain spaces for the youth with a baby nook, play area and kids' section. The teen area is located adjacent to the stair case in close proximity to the staff and a meeting room on the south end. New rest rooms will also be included along the south wall adjacent to the existing elevator and exit stair. Various private study and storage rooms are dispersed throughout the plan on both levels.

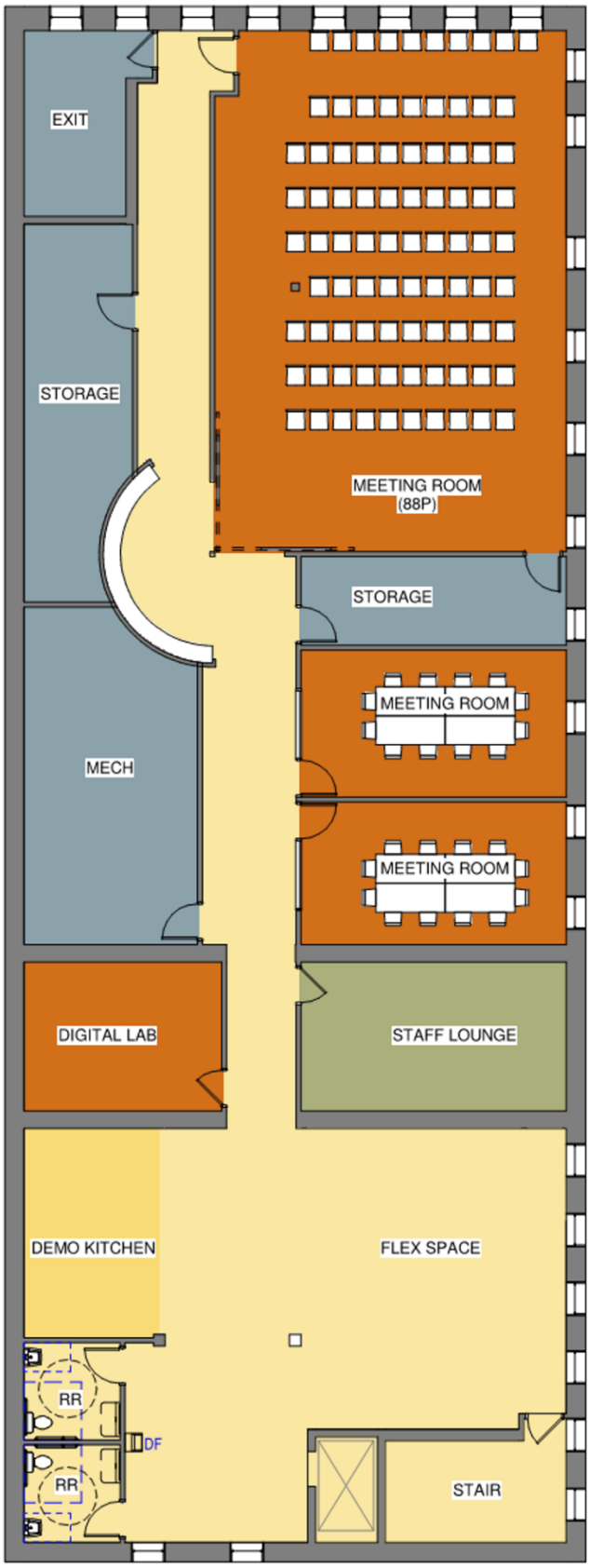


2 SECOND FLOOR FURNITURE PLAN
SCALE: 1/8" = 1'-0"

Interior Upgrades

Third Level

The north end will include a large meeting room, exit stair, and storage space. Additional spaces on the floor will include storage spaces and smaller meeting rooms. A staff lounge, digital lab, demo kitchen, and flex space will comprise the bulk of the floor area on the southern end of the floor. Restrooms, the elevator, and exit stair will round out the remaining floor area. The Library Director and design team are working on putting both project phases into one bid. The work for the third floor will be incorporated into Phase I since the Library recently secured a $3,386,967.00 grant from the WI Department of Administration for third floor renovations.



THIRD FLOOR PLAN

The Historic Preservation Commission reviewed the work proposed for the interior and exterior of the Vaughn Public Library at a special September 9th, 2024 Historic Preservation Commission meeting. Since the Vaughn Public Library is on the Local Register of Historic Places a Certificate of Appropriateness through the Historic Preservation Commission was required for work proposed. Additionally, review by the State Historic Preservation Office (SHPO) is required because the building is owned by a local unit of government and a contributing structure in the W 2nd Street Historic District. The Historic Preservation Commission approved the Certificate of Appropriateness for the proposed work with the condition that all work shall occur in compliance with the Department of the Interior's standards and that all plan and building permit approvals to be obtained prior to starting work.

Recommendation/Conditions

Staff recommends approval of the architectural design of the Vaughn Library remodel as proposed.

Conditions

1.) Applicant shall request review of the proposed work through the State Historic Preservation Office.
2.) Work shall occur in compliance with the Department of the Interior's Standards.
3.) All plan and building permit approvals shall be obtained prior to starting work.

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

Architectural Rendering of Completed Project

THE CITY OF ASHLAND WISCONSIN

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

STAFF REPORT

Plan Commission – October 15th, 2024

Agenda Item # 6b:	**Preliminary and Final Plat Review for a Condominium Plat**
Zoning District:	City Center (CC) District
Property Address:	208 3rd Ave W
Parcel #:	# 201-01650-0100 (Opera House), # 201-01654-0000, # 201-01650-0000
Applicant:	Patrick McKuen
Staff Contact:	Steven Wiley

Background

Patrick McKuen of Pine Ridge Surveying requests Preliminary and Final Plat review and approval of a Condominium Plat for the property at 208 3rd Ave W. The intent of this plat is to divide ownership of the property into three (3) condominium units and condominium ownership over the attached and detached garage spaces. No site modifications from the original site plan approval are planned.

The subject property was combined via Certified Survey Map in 2023. The combined property includes the former Opera House, an attached garage on the north, and a detached garage to the south with drive access. The developers obtained Conditional Use Permit (CUP) approval at the May 9th, 2023 Council meeting. The Plan Commission approved the site plan for the multi-family use at the September 19th, 2023 Plan Commission meeting. The condominium plat will allow for separate ownership of the three living units and associated garage spaces in the buildings on the subject site.

Existing Land Use	***Zoning***
Multi-family Residential – 3 living units and associated garage parking and access drives	City Center (CC)

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

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

The subject property is outlined in red in the above aerial.

Standards for Preliminary Plat Review

The City of Ashland's Unified Development Ordinance Section 3.23 (C) Preliminary Plat Approval Criteria (and all subsections thereof), create the legal framework for approving Preliminary Plats for the City of Ashland. The following decision criteria were used to review the submitted Condominium Plat:

1. **Complete Application**
   The applicant submitted a complete application with the draft Condominium Plat and explained the reasoning for the proposed Condominium Plat. The Plat itself has the information necessary for staff, the Plan Commission, and the Common Council to review. The plat was drawn by a licensed surveyor and has a legal description, legend, scale, details, and areas of the portions of the subject property to be split into condominium units. Identification of each unit and common elements of the property are clear in the proposed Plat.

2. **Consistency with Provisions of the Unified Development Ordinance and State Law**
   The Condominium Plat is consistent with Chapter 703 of the Wisconsin Statutes, Chapter A-E 7 of the Wisconsin Administrative Code, and City of Ashland Unified Development Ordinance. Staff reviewed the Statutory requirements and determined that the Condominium Plat includes the requirements listed.

3. **Consistency with City's Comprehensive Plan and other Adopted Plans and Standards**
   The UDO mentions consistency with the Comprehensive Plan and other plans as they relate to the City's current and future streets, sidewalks, bike lanes, alleys, parks, and public utility facilities.

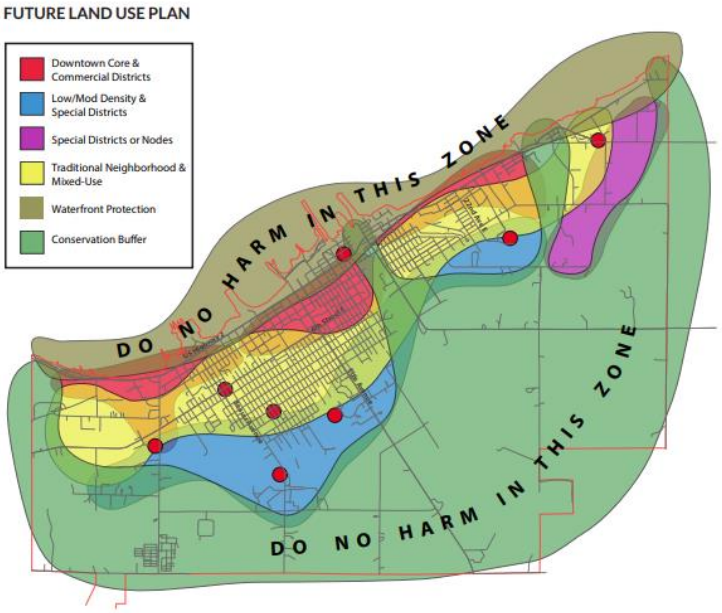
   The existing property is a multi-family development with one residential living unit on the ground floor and 2 residential units on the second floor. The subject development includes parking in

attached and detached garages. The existing land uses are consistent with the recommendations laid out in the Future Land Use Map (FLUM) of the Comprehensive Plan. The Downtown Core & Commercial Districts land use calls for mixed use development with residential development on upper floors when possible. Given the size of the former Opera House building the developer has created living units on both floors of the building. No changes are proposed to the existing land uses. The Condominium Plat is only intended to divide ownership of the subject property according to the different uses.

4. **Extension, Improvement, or Widening of City roads**

The extension, improvement, or widening of City roads, taking into account access to and extension of sewer, water and storm sewer mains and the instrumentality of public utilities.

The Condominium Plat does not include alterations to existing City infrastructure such as streets, sidewalks, bike lanes, alleys, parks, and public utility facilities. No extension, improvement, or widening of City streets or infrastructure are planned.



5. **Preliminary Plat Promotes the Public Health, Safety, and General Welfare**

The UDO includes a criterion of approval that a Preliminary Plat promotes the public health, safety, and general welfare; furthers the orderly layout and use of land; provides a balanced density of land, provides beneficial street layout and traffic flows; provides for adequate light and air; facilitates adequate provisions for water, sewerage, storm water management, and other public requirements; provides for proper ingress and egress; and promotes proper monumenting of land subdivided and conveyancing by accurate legal descriptions;

The intent of the section mentioned above is generally for subdivision plats. Since the proposed plat is a Condominium Plat intended to divide ownership of an existing property staff does not have concerns here.

6. **Service by Public Improvements and Infrastructure**

The tract of land subject to the application is adequately served by public improvements and infrastructure (as required by this Ordinance), or will be adequately served upon completion by the applicant of required improvements;

The subject property at 208 3rd Ave W is an existing multi-family development already served by existing street and utility infrastructure. Staff does not have concerns here.

7. **Schedule for Phasing of Improvements**

The Plat submitted for review is a Condominium Plat and no changes are proposed to the subject properties other than dividing the property into condominium units to allow for separate ownership. This section is not applicable here.

Final Plat Review

The UDO outlines the process for Final Plat Review. In the case of most subdivision plats, the Preliminary and Final Plat Reviews would occur separately. The staff and the Plan Commission would review the Preliminary Plat and approve it if the requirements of the WI Statutes, WI Administrative Code, and UDO are met. From there the developer and surveyor would finalize the Plat and submit for staff, Plan Commission, and Common Council review. In the case of this Condominium Plat, there is enough information in the submission for the reviews to occur simultaneously. The only change proposed with this plat is to divide ownership of the subject property by splitting the property into condominium units.

Planning staff has forwarded on the draft plat to the Public Works Director, Fire Chief, Police Chief, Water Utility, and Wastewater Operations Manager. The Fire Chief, Police Chief, and Water Utility do not have concerns with the Condominium Plat as proposed. Staff did not receive concerns from the Public Works Director or Wastewater Operations Manager. For an earlier condominium plat staff inquired with the Wisconsin Department of Administration (DOA) on whether a DOA review is required. The DOA informed staff that they do not review condominium plats so nothing needs to be sent to them.

Final Plat Approval Criteria

The UDO provides that a final plat shall be approved if it meets the following criteria:

1. The application is complete and the information contained within the application is correct and sufficient to allow adequate review and final action; and
2. The final plat must be consistent with the approved preliminary plat and all of the approval criteria of the preliminary plat.

In the case of the draft Condominium Plat submitted, staff is of the opinion that there is enough information for the Plan Commission to conduct a preliminary and final plat review together and forward a recommendation onto the City Council for review.

Review Recommendation

Staff recommends Preliminary and Final Plat APPROVAL of the Condominium Plat proposed for the 208 3rd Ave W property contingent on the following conditions:

- Approval is for the Condominium Plat for the property at 208 3rd Ave W (Lot 1 of CSM No. 788 Recorded in the Ashland County Register of Deeds Office on Sept. 22, 2023, in Volume 5, pages 162-163, as Document No. 362998).
- Applicant to meet any requirements of the Water Utility and any other utilities for metering.
- Applicant to submit a copy of the recorded plat to City staff once it is recorded at the Ashland County Register of Deeds.

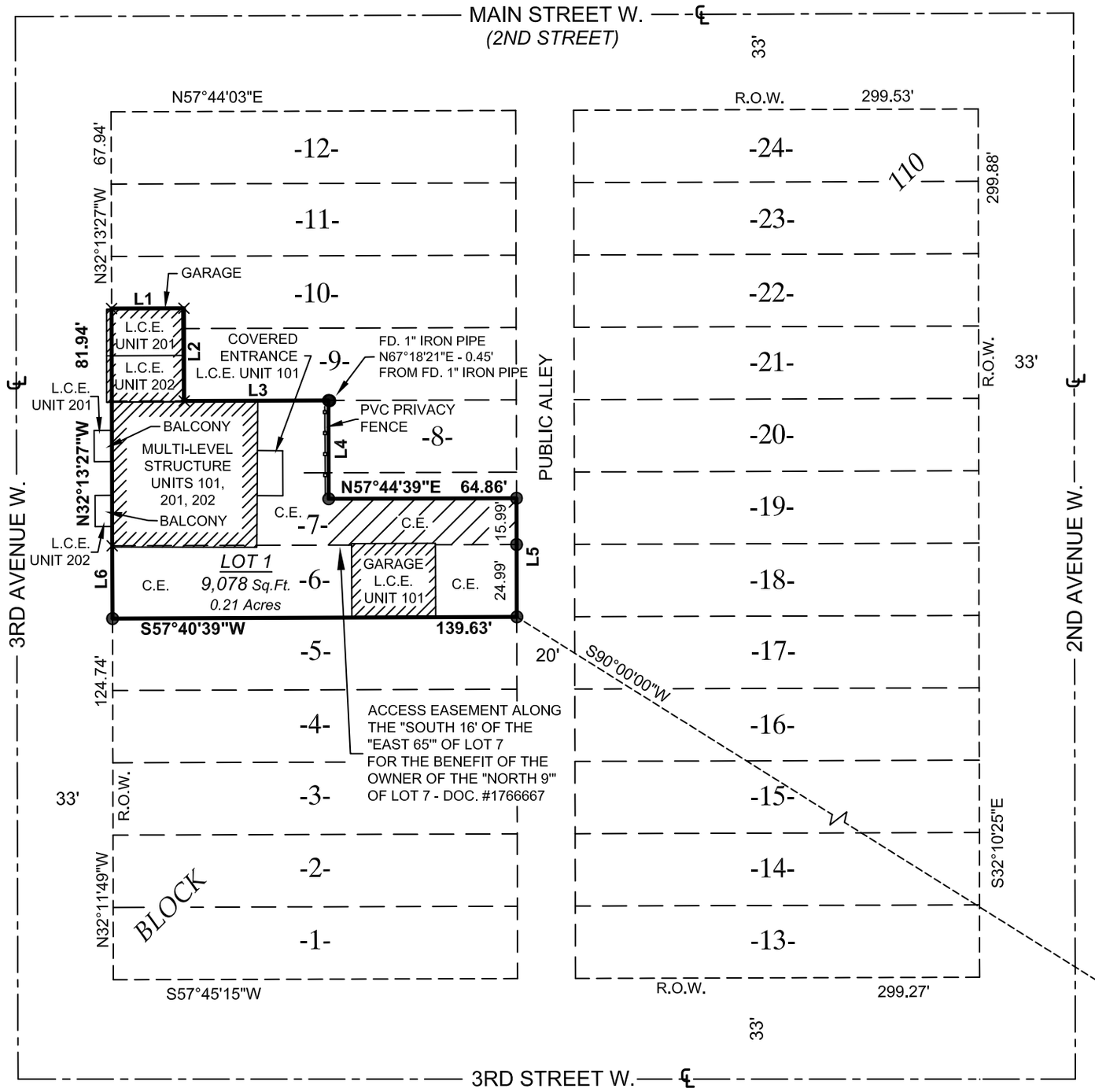
Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a determination. A Class 1 public informational meeting notice was issued on October 3rd and discretionary letters were sent to all surrounding property owners within 200 feet of the subject property.

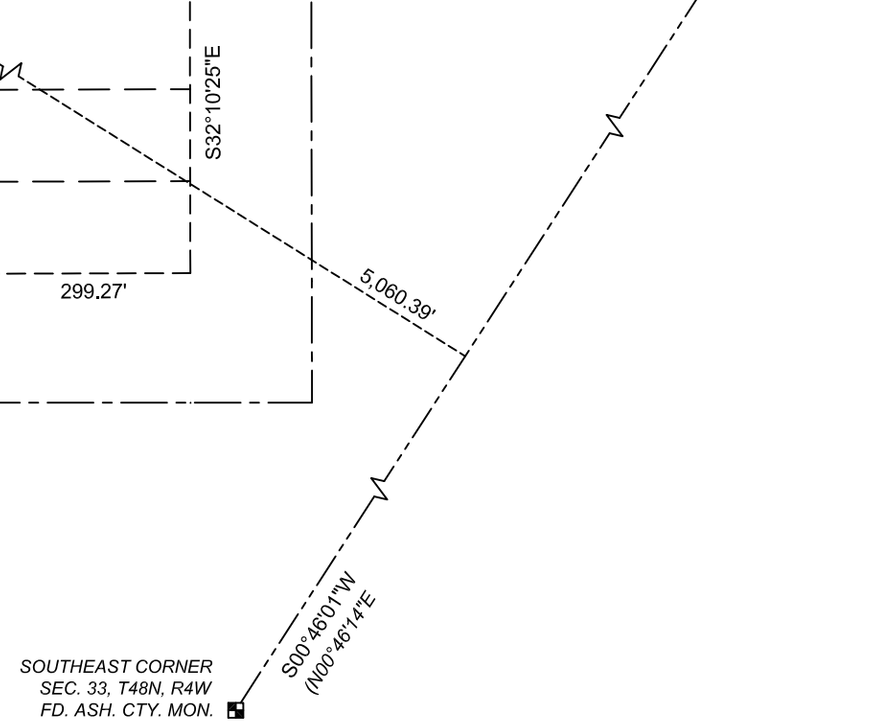
Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

OPERA HOUSE CONDOMINIUM ASSOCIATION

LOT 1, CSM #788, RECORDED AS DOC. #362998 WITHIN THE ASHLAND COUNTY REGISTRY, LOCATED IN BLOCK 110, ELLIS DIVISION, CITY OF ASHLAND, ASHLAND COUNTY, WI

BEARINGS ARE GRID BASED WCCS - ASHLAND COUNTY WITH THE E. LINE OF SOUTHEAST ¼ - SEC. 33 MEASURED TO BEAR S00°46'01"W





SURVEYOR'S NOTE:

1.) UNLESS OTHERWISE NOTED EVERYTHING OUTSIDE OF THE UNIT BOUNDARIES ARE COMMON ELEMENTS

2.)INTERIOR DIMENSIONS FOR FLOOR PLANS ARE BASED UPON DRAWINGS FURNISHED BY THE ARCHITECT TO THE SURVEYOR.

LEGEND

× – CALCULATED LOCATION MONUMENT NOT SET (FALLS IN BUILDING)

● – FD. 1" O.D. IRON PIPE

C.E. – COMMON ELEMENT

L.C.E. – LIMITED COMMON ELEMENT

50' 0 50' 100' 150'

SCALE FEET

OPERA HOUSE CONDOMINIUM ASSOCIATION	DATE	REV. NO.	BY:	REVISION DESCRIPTION
LOT 1, CSM #788, RECORDED AS DOC. #362998 WITHIN THE ASHLAND COUNTY REGISTRY, LOCATED IN BLOCK 110, ELLIS DIVISON, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN	Drawn by: P.MCKUEN Approved by: P.MCKUEN Date Approved: 8/27/24		Recorded With: ASHLAND COUNTY Field Work Completed: 8/14/24	

Pine Ridge Land Surveying, LLC.
Professional Land Surveying Services
Value & Quality in a Timely Manner..

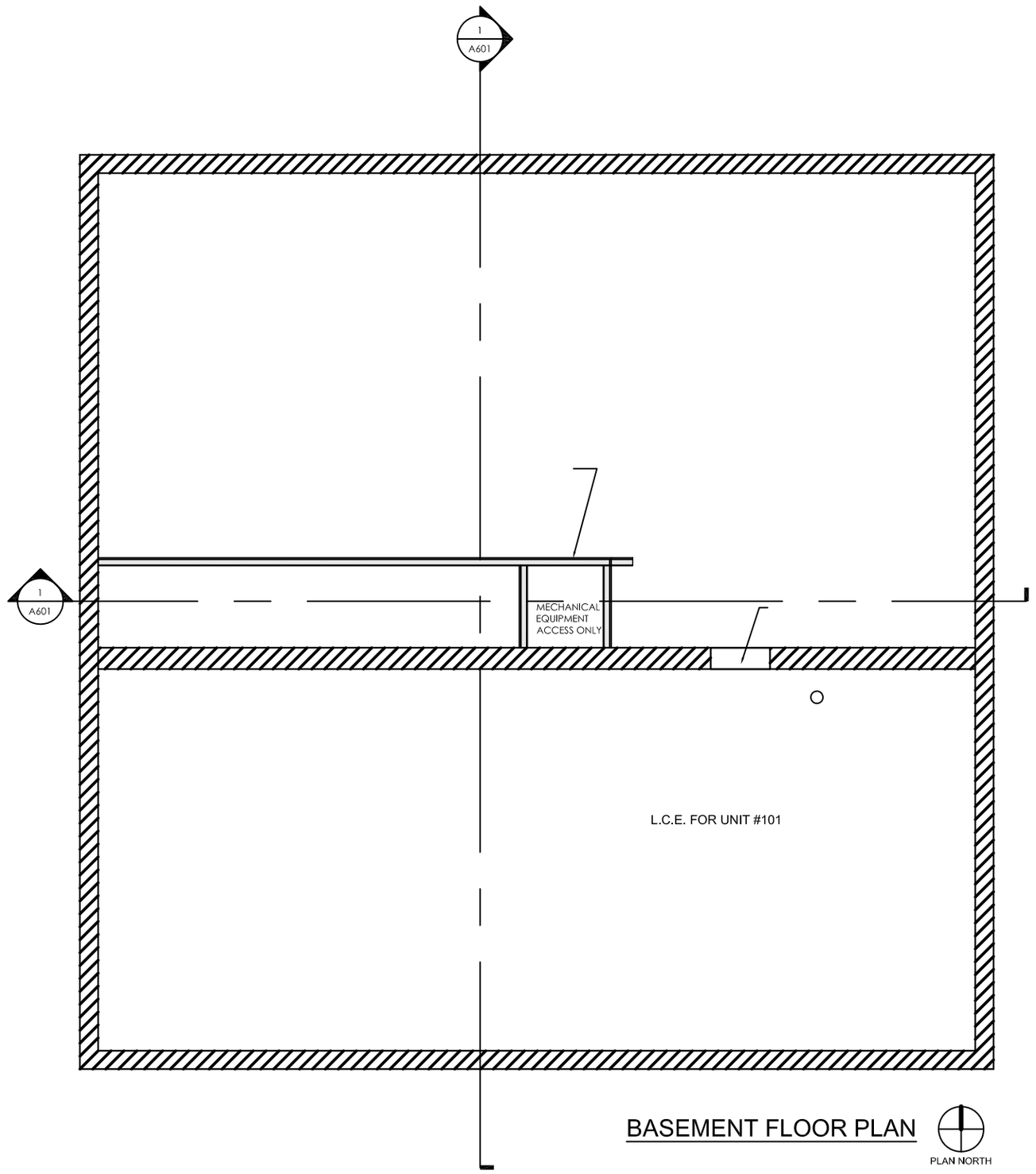
PATRICK A. MCKUEN, PLS
1424 ½ LAKE SHORE DR. W.
ASHLAND, WI 54806
PH. 715-682-2969
WWW.PINERIDGESURVEYING.COM
PMCKUEN@PINERIDGESURVEYING.COM

PROJECT NUMBER: OPERAHSE24–COA–ELLIS

FIGURE/SHEET NO. 1 OF 4

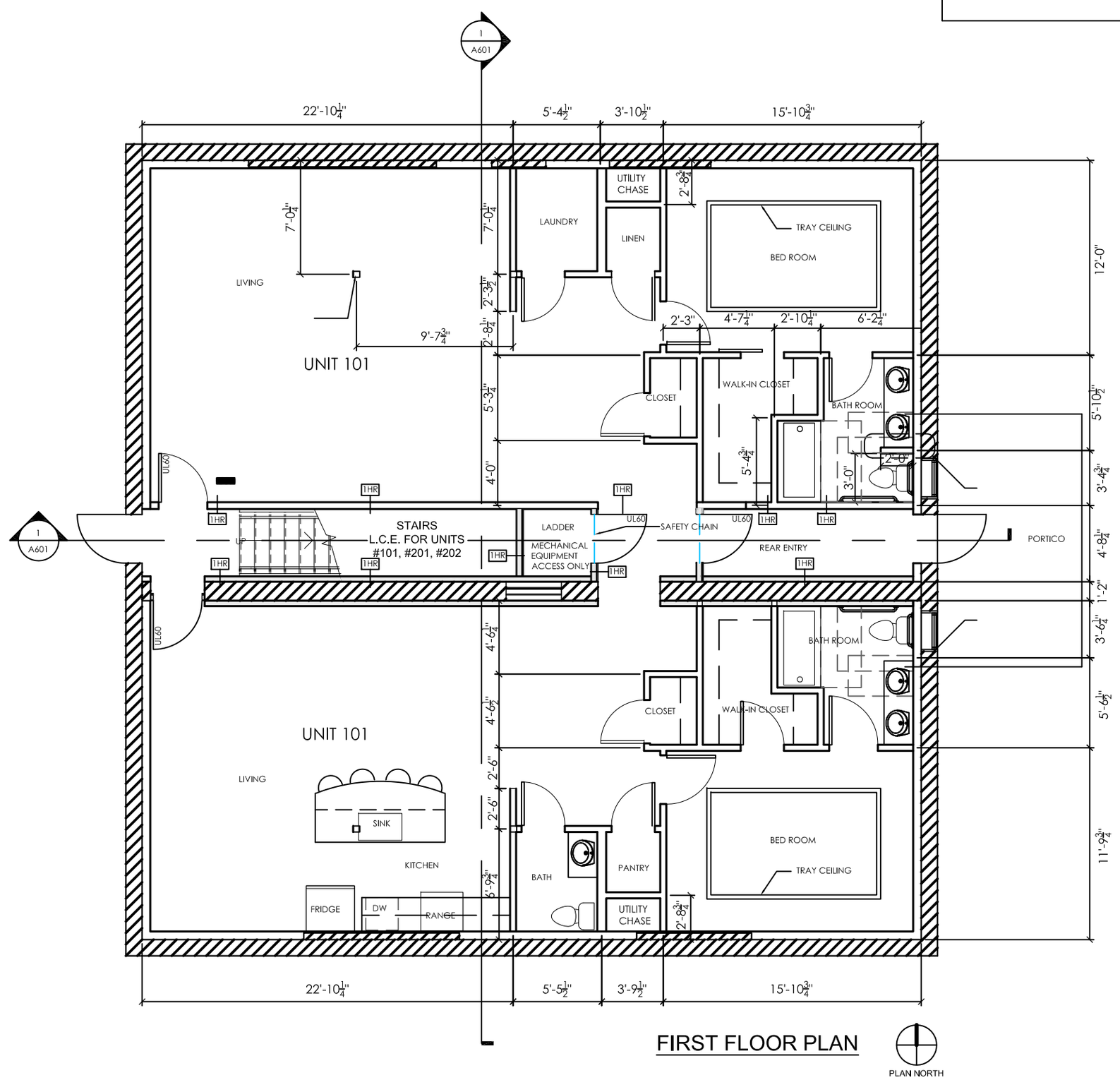
OPERA HOUSE CONDOMINIUM ASSOCIATION

LOT 1, CSM #788, RECORDED AS DOC. #362998 WITHIN THE ASHLAND COUNTY REGISTRY, LOCATED IN BLOCK 110, ELLIS DIVISION, CITY OF ASHLAND, ASHLAND COUNTY, WI



BASEMENT FLOOR PLAN

PLAN NORTH



FIRST FLOOR PLAN

PLAN NORTH

8' 0 8' 16' 24'

SCALE FEET

OPERA HOUSE CONDOMINIUM ASSOCIATION	DATE	REV. NO.	BY:	REVISION DESCRIPTION
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FIGURE/SHEET NO. **2** OF 4

OPERA HOUSE CONDOMINIUM ASSOCIATION

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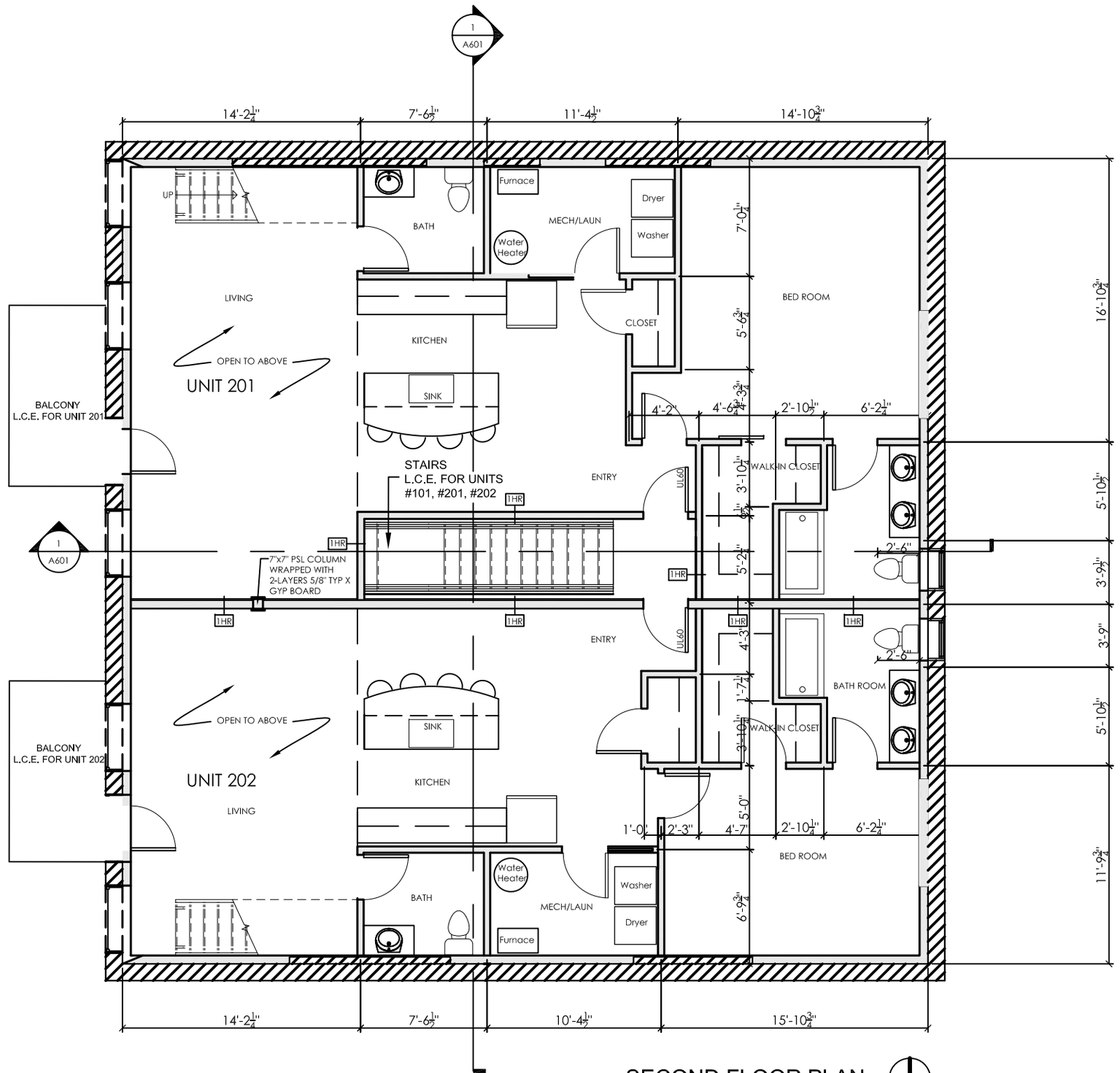
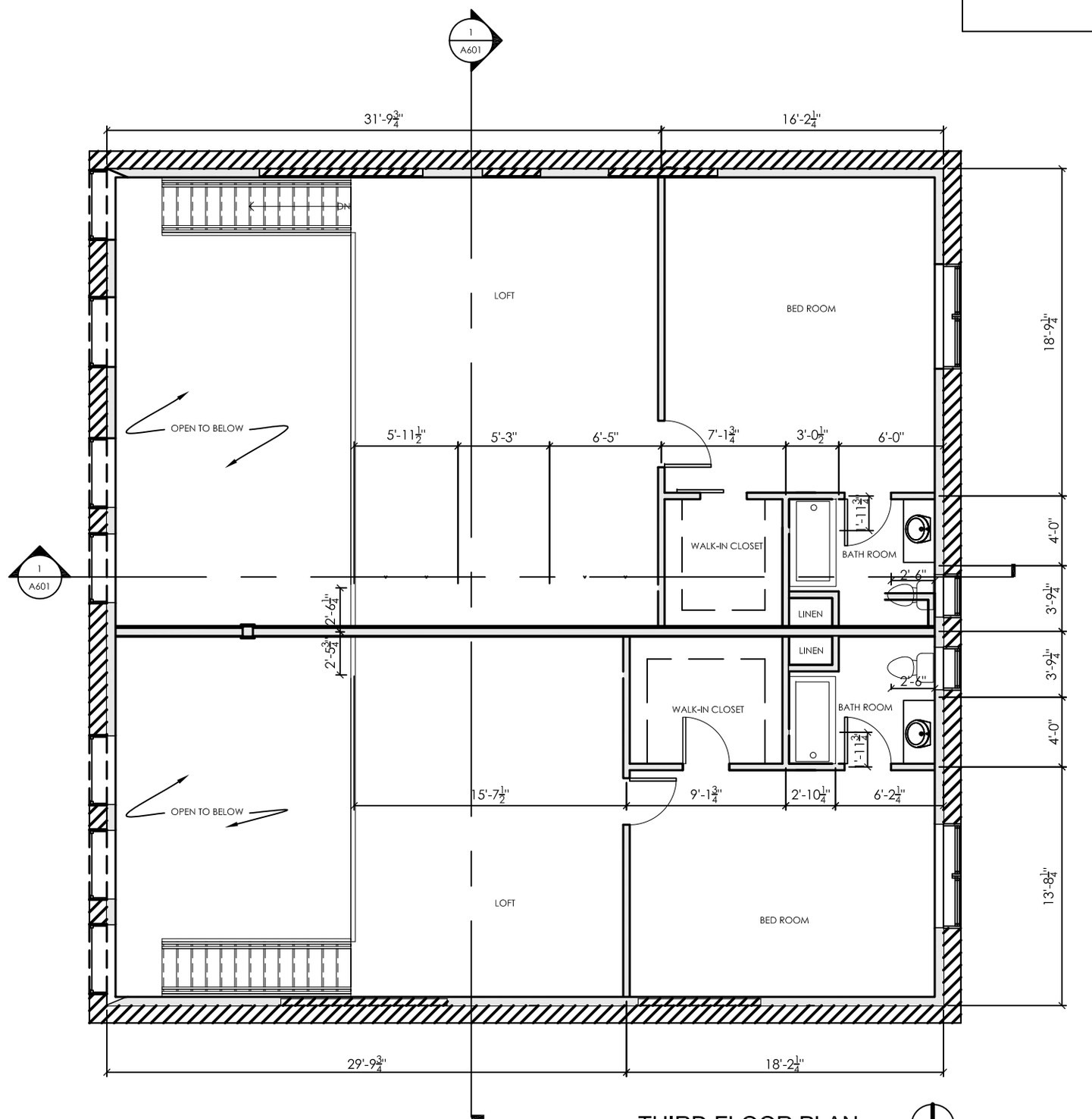


SECOND FLOOR PLAN

PLAN NORTH



THIRD FLOOR PLAN

PLAN NORTH

8' 0 8' 16' 24'

SCALE FEET

OPERA HOUSE CONDOMINIUM ASSOCIATION	DATE	REV. NO.	BY:	REVISION DESCRIPTION
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PROJECT NUMBER: OPERAHSE24--COA--ELLIS

FIGURE/SHEET NO. **3** OF 4

OPERA HOUSE CONDOMINIUM ASSOCIATION

LOT 1, CSM #788, RECORDED AS DOC. #362998 WITHIN THE ASHLAND COUNTY REGISTRY, LOCATED IN BLOCK 110, ELLIS DIVISION, CITY OF ASHLAND, ASHLAND COUNTY, WI

SURVEYOR'S CERTIFICATE:

I, PATRICK A. MCKUEN, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2992, DO HEREBY CERTIFY:

That on order of TOM TRUDEAU & SCOTT WARREN, Owner's, I have surveyed and mapped OPERA HOUSE CONDOMINIUM ASSOCIATION, located in Lot 1, CSM #788,recorded as Doc. #362998 within the Ashland County Registry, located in Block 110, Ellis Division, Ashland County, Wisconsin.

The above described parcel of land contains 9,078 Sq.Ft. which is 0.21 acres.

Parcel is subject to existing easements, reservations and restrictions of record;

That I have fully complied with Chapter 703 of the Wisconsin Statutes, Chapter A-E 7 of the Wisconsin Administrative Code and the City of Ashland Subdivision Control Ordinance in making the same;

That this plat is a correct representation of OPERA HOUSE CONDOMINIUM ASSOCIATION and the identification of each unit and the common elements can be determined from the plat; and

That said survey and plat are correct to the best of my knowledge and belief.

DATED THIS_____DAY OF_____

_____
PINE RIDGE LAND SURVEYING, LLC.
PATRICK A. MCKUEN
WI P.L.S. S-2992

CONSENT OF MORTGAGEE

NORTHERN STATE BANK, MORTGAGEE OF THE ABOVE DESCRIBED LAND, HEREBY CONSENTS TO THE SURVEYING AND MAPPING OF OPERA HOUSE CONDOMINIUM ASSOCATION AS DESCRIBED ON THIS PLAT AND HEREBY CONSENTS TO THE OWNER'S CERTIFICATE BELOW, OWNER OF SAID LANDS

SIGNED: _____
JOHN BEIRL

DATED THIS _____ DAY OF _____, 2024.

AS OWNER(S) *TOM TRUDEAU & SCOTT WARREN,*
I HEREBY CERTIFY THAT I CAUSED THIS CONDOMINIUM PLAT TO BE SURVEYED, DIVIDED, MAPPED AS REPRESENTED ON THE FACE OF THIS MAP.

WITNESS THE HAND AND SEAL OF SAID AGENT THIS _____ DAY OF _____, 2024

NAME(S): _____

SIGNED: _____

STATE OF WISCONSIN
SS
_____ (COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____ 2024, THE ABOVE NAMED

_____
TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____

NOTARY PUBLIC, _____, WISCONSIN

MY COMMISSION EXPIRES _____

CITY OF ASHLAND PLANNING & ZONING APPROVAL CERTIFICATE

I, STEVEN WILEY, CITY OF ASHLAND PLANNING & ZONING DIRECTOR,
DO HEREBY APPROVE THIS CONDOMINIUM PLAT

SIGNED: _____
STEVEN WILEY

DATED THIS _____ DAY OF _____, 2024.

OPERA HOUSE CONDOMINIUM ASSOCIATION

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DATE	REV. NO.	BY:	REVISION DESCRIPTION

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Approved by: P.MCKUEN
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FIGURE/SHEET NO.
4
OF 4