# City of Ashland – Plan Commission Meeting Minutes

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

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

**Committee Members Absent:** David Eades, Jeff Beirl, and Ana Tochterman

**Staff Present**: Steven Wiley and Mandelyn Lyons

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

## Agenda

**1) Approval of Agenda**

Motion to approve the agenda by John Beirl, seconded by Laurie Gregor. Passed unanimously.

**2) Consent Agenda**

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

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

**3) Public Comment (non-agenda items)**

None.

**4) Action Items**

a) Public Hearing and vote on a request for a Conditional Use Permit (CUP) for expansion of a clinic use at 619 9th Ave W, parcel #201-04374-0000, zoned Single & Two Family Residential (R-2). Applicant: Savita Jones o/b/o the Ashland Birth Center

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Laurie Gregor asked how traffic flows on the property.

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

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

b) Public Hearing and vote on a request for a Conditional Use Permit (CUP) to institute a multi-family dwelling use at 208 3rd Ave W, parcel #201-01650-0100, zoned City Center (CC). Applicant: S.H. Warren LLC.

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

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

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

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

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

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

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

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

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

Tom Trudeau answered that there should be.

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

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

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

**5) Announcements/Reports/Comments/Questions**

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

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

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

**6) Adjournment**

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

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