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City of Ashland, Wisconsin

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City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Tuesday, July 19th, 2022 at 6:30 p.m.** via GoToMeeting.

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

Committee Members Absent: David Metille (excused), John Beirl, Ana Tochtermann (excused)

Staff Present: Brea Grace, Mandelyn Lyons

Mayor MacKenzie opened the meeting at 6:31 p.m.

Agenda

1) Approval of Agenda

Motion to approve the agenda by JoAnn Erickson, seconded by Jeff Beirl.
Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the June 21, 2022 Plan Commission meeting

Motion to approve the minutes from the June 21, 2022 Plan Commission meeting, with amendments, by JoAnn Erickson, seconded by Jeff Beirl. 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 a rooftop sign at 210 5th Ave E, parcel #201-01591-0000, zoned City Center (CC). Applicant: Chequamegon Theatre Association

A motion to go into the public hearing by Jeff Beirl, seconded by JoAnn Erickson. Passed unanimously.

Mandelyn Lyons summarized the applicant's proposal, the five standards for review for conditional use permits, and the staff report. She continued to summarize the class two public hearing notice, which were published on July 8th & 15th, and explained the neighbor letters.

Mayor MacKenzie invited the public to come forward and comment.

Clarence Campbell commented “I’m here on behalf of the Chequamegon Theatre Association. I have been involved with the theatre for about twenty years, and have been on the board of directors for seven years. The theatre is celebrating their 50th anniversary soon and I believe that we are the longest operating non-profit community theatre in the state of Wisconsin. One problem that we have had over the years is people finding the theatre, the address is 210 5th Ave, but the theatre is actually located on the alley. At least once every performance we have someone call saying that they can’t find the theatre, and we have to give them directions to the building. There is also signage that identifies our building as the theatre. The 210 5th Ave E address leads them to the parking lot. So as part of the 50th anniversary we want to put a sign up. As far as illuminating the sign it would only be lit during performances or nights that there are performances.”

Mayor MacKenzie asked if there were any comments provided ahead of time for the hearing.

Mandelyn responded that there were two comments submitted ahead of the meeting and read them into record:

Michael Rice o/b/o his mother at 213 Willis Ave commented, “I have memories of visiting this theatre as a kid. My mother and I support the theatre getting a sign.”

Frank Gallik of 209 Willis Ave commented, “As I own the home directly across the alley from CTA I just wish to let you know that I have no problem with CTA placing a sign on the theatre. I feel that it would help with their visibility and don't feel it would be a problem for myself or family members. The location of the theater is such that I believe this is important for them to be more visible to those planning on attending theater performances.”

Mayor MacKenzie asked if anyone online would like to comment.

There were none.

A motion to go out of Public Hearing by JoAnn Erickson, seconded by Laurie Gregor. Passed unanimously.
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Mayor MacKenzie stated that staff recommended approval with the condition that the applicant shall obtain a city sign permit – which they already have.

JoAnn Erickson commented that the sign does not seem like it would obstruct any views and with the neighbors support she believes this proposal should move forward.

Mayor MacKenzie commented that the theatre is difficult to find and a sign will help with the theatre’s visibility.

Mayor MacKenzie stated the only condition for the CUP is that the applicant would need to obtain a sign permit.

Motion for approval of the Conditional Use Permit with conditions by Jeff Beirl, seconded by JoAnn Ericson. Passed unanimously.

- b. Public Hearing and vote on a request for a Conditional Use Permit (CUP) to build an accessory building over 20 feet in height at 1002 Willis Ave, parcel #201-02728-0100, zoned Single & Two-Family Residential (R-2). Applicant: Marty Reykdal

Motion to go into the public hearing by Jeff Beirl, seconded by JoAnn Erickson. Passed unanimously.

Brea Grace summarized the applicant's proposal, the five standards of review for conditional use permits, and the staff report. She continued to summarize the class two public hearing notice, which were published on July 8th & 15th, and explained the neighbor letters.

Brea also explained that it is possible to put a garage on parcel before a principal structure if the applicant builds a principal structure within two years. She stated that Marty had already been issued a building permit for the proposed accessory structure, and that the CUP is for the extended height request.

Brea commented that we do have a conceptual site plan that includes the layout of buildings and driveways on the property, but there are no formal plans presently for the home or drives, landscaping, stormwater, or buffers.

She then continued to explain the code requirements that the site will have to meet. The proposed structure is an accessory building in a residential area so garage space cannot be rented out, with the proposed duplex the garage cannot be an accessory dwelling unit. The building was permitted as an accessory structure, thus there cannot be a residence within it – no one can live in the garage.

Mayor MacKenzie asked if anyone wanted to comment.

George Stolarzyk of 1003 Willis Ave commented, "I live across the street from the proposed addition to the City of Ashland. I have a few comments. A rumor is that this proposed RV garage that Marty is putting up is that he is going to be staying there. Way back in 2000 or even in 1998 I had proposed putting a garage up, but was told we couldn't until we put up a house. My other comment is the height on it. The height is my concern, how many homes in Ashland have been allowed to put up a garage of this height. I know it is zoned two-family and several homes have contacted me and said their homes are 20 to 22 ft. in height. Twenty-six feet is very high for the neighborhood. My other concern was addressed; he has to build a home in two years. Other than that I don't have any problems, but my concern is the 26'."

Marty Reykdal of 1002 Willis Ave commented, "According to the ordinances I could build a home at 35' so you wouldn't even see the garage. The picture that Mandy showed before, I am just building the RV part not the whole building. I'd like to be able to park my truck and truck camper in the garage and have storage above, so I'd need a twelve-foot door, which is why I'm interested in having 26'. I could probably make it work with 20' but it would leave me with a 6' ceiling in the gable I would be hunched over in the storage area. That is why I'm asking for the extra footage."

Mayor MacKenzie confirmed with Marty that he would only be building the RV section in the picture, and he is just looking at the picture for design purposes. He also asked about the driveway.

Marty explained that he is not set on his plans for the driveway and that it might vary. He continued to say that his plans change based on the project progression.

Mayor MacKenzie asked if he has looked at the code requirements for the site.

Marty commented that he went through the codes with staff in previous meeting.

Jeff Beirl asked if the garage is already under construction and if the current status of the project is what inspired the height increase.

Marty confirmed that he has already started construction and that he had planned on a taller garage from the start, but the height was a recent decision.

Jeff asked if the proposed duplex would be in front of the garage and if the duplex would be over 26'.

Marty said yes the duplex would be in front of the garage, but he isn't sure that it would be over 26', he was thinking that it would have in floor heat and be one story.

JoAnn asked Marty to confirm that he does not have plans for the duplex yet and that he would be starting construction within two years.

Marty said he does not have a plan yet but he will start construction in two years.

JoAnn commented that she is concerned that there is no plan for the house, and asked what happens if he doesn't build in two years. Could the city make him take down the garage?

Mayor MacKenzie stated that we could make him take down the garage if the principal structure isn't built.

Brea stated that the City has two tools for compliance, citations or requiring demolition, but generally staff doesn't want that to happen.

JoAnn stated again that her concern is that there are no plans for the home and is concerned about the two-year construction deadline.

Marty stated that he does not like to get fined so he does intend to build within the two-year timeframe.

Mandelyn commented that before any construction of the home would start Marty would need to submit a full set of UDC plans for review.

Marty commented that even if his request is denied the max height for a garage is 20' and it is likely you will see the garage behind the duplex even at the max height.

Motion to go out of public hearing by Jeff Beirl, seconded by JoAnn Erickson. Passed unanimously.

Mayor MacKenzie stated that staff recommends approval with conditions, which are essentially building codes.

Marty asked if it would be possible to not go 26'.

Jeff asked if we could put a condition in which the building would not exceed 26', that he does build a residence within two years, and all other conditions recommended by staff.

JoAnn asked if there is any way to stop larger garages from being built.

Mayor MacKenzie added saying that modern larger vehicles may factor into the need for a larger

garage. He provided anecdotal evidence from the police station build and the height requirements for that project.

Mandelyn commented that the CUP process is one way to limit garage heights.

JoAnn is concerned that once we start allowing structures of this height they will become more common.

Mayor MacKenzie mentioned that this is an issue that could be discussed in a future meeting.

Mayor MacKenzie stated the conditions of the CUP are:

- Renting out storage in the proposed accessory structure is not an allowable use
- The accessory structure shall not exceed 26' in height
- Construction of a primary structure shall start within two years
- All development on site will comply with all applicable ordinance and code requirements

Motion to approve the Conditional Use Permit with conditions by Jeff Beirl, seconded Laurie Gregor. Passed 3-1, Erickson opposed.

Brea commented that this CUP now goes to City Council for final review on July 26th.

5) Announcements/Reports/Comments/Questions

Brea announced that the next Planning Commission meeting is scheduled for Monday, August 15th at 6:30 in the Council Chambers.

6) Adjournment

Motion to adjourn by JoAnn Erickson, seconded by Laurie Gregor. Passed unanimously.
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Meeting was adjourned at 7:19 pm. Minutes done by Mandelyn Lyons.