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City of Ashland, Wisconsin

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PLAN COMMISSION

November 6, 2018

City Hall Council Chambers

6:30 PM

AGENDA

1. Call to Order and Roll Call
2. Approval of Agenda
3. Consent Agenda
 - a. Approval of minutes from the October 16, 2018 Plan Commission meeting
4. Public Comment (non-agenda items)
5. Action Items:
 - a. Public Hearing and review of a Conditional Use Permit to allow tool and equipment rental, general retail and equipment repair and service at 1310 Lake Shore Drive East, zoned Mixed Residential/Commercial (MRC).
Applicant: Carlson Rental Equipment
6. Announcements/Reports/Comments/Questions
7. 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 Megan McBride at (715) 682-7041.

Minutes of the City of Ashland Plan Commission

A meeting of the Plan Commission was called to order on **Tuesday, October 16, 2018**
at 6:30 p.m. in the City Hall Council Chambers.

PRESENT: Mayor Lewis, John Beirl, Katie Gellatly, Laurie Gregor
EXCUSED: David Mettillie, Ernie Bliss, Mike Amman
STAFF: Megan McBride

1) Call to Order and Roll Call

Mayor Lewis called the meeting to order at 6:30 p.m. She welcomed Laurie Gregor as the newest member of the Plan Commission.

2) Approval of Agenda

Motion to approve the Agenda by Katie Gellatly. Seconded by John Beirl. Passed unanimously.

3) Consent Agenda

Motion to approve minutes from September 18, 2018 Plan Commission meeting by John Beirl. Seconded by Katie Gellatly. Passed unanimously.

4) Public Comment (non-agenda items)

No public comments.

5) Action Items

- a. Public Hearing and review of a Conditional Use Permit to construct a security fence six feet in height with two feet of barbed wire at 2800 Lake Shore Drive E, zoned Mixed Residential/Commercial (MRC). Applicant: Nye Development**

Motion to go into Public Hearing by John Beirl. Seconded by Katie Gellatly. Passed unanimously.

Megan McBride explained the required Class 2 Public Hearing notice that was issued and discretionary letters were sent to property owners within 200 feet of the proposed fence. She then went through the criteria approval and recommended conditions outlined in the staff report.

Comments Received Prior to the Meeting:

Gary Croteau who lives a block away called to say that he does not have any issues with a fence that is 8 feet in height in this location but believes the barbed-wire is "overkill" and poses a safety/liability concern for children in the area.

Comments during the Meeting:

Megan McBride explained the required Class 2 Public Hearing notice that was issued and discretionary letters were sent to property owners within 200 feet of the proposed fence. She then went through the criteria for approval detailed in the Staff Report that led to the staff recommendation of approval.

Ron Nye, the applicant, explained that he leases the building at 2800 Lake Shore Drive E to the General Services Administration (GSA). He received a work request from GSA to construct a fence around the vehicles as there have been incidents of vandalism/theft of cars at other federal locations.

John Beirl asked Mr. Nye how he felt about the request for barbed wire, and if he has any concern about safety since it is so close to a residential area and there are children in the neighborhood.

Ron Nye explained that he initially came forward with a Conditional Use Permit request for an eight foot tall fence but amended his application per instructions by GSA who would like to install the standard six foot fence with two feet of barbed wire that they are installing at their facilities in other Wisconsin and Minnesota communities.

John Beirl asked if these other facilities are located in residential neighborhoods.

Tony Lashbrook stated that he signed a petition against the proposed fence due to concerns including the resale value of his home as most people would not want to live near a barbed wire fence that makes their neighborhood look like a prison. He suggested that if this level of security is needed it should be moved to the industrial zone where barbed wire is a more appropriate use. He also noted that he has never had issues with theft since living in his current home.

John Beirl asked him if he would be against a fence in this location if it didn't have the barbed wire.

Tony Lashbrook said that removal of the barbed wire would be a big improvement.

Alice Evenson, who lives directly across Main Street from the property, explained that a petition was circulated and signed by over 20 neighbors in opposition to the fence being six feet in height with two feet of barbed wire. She explained that there is truly a sense of community among the 25 families who live in the area, which includes 32 (soon to be 33) children. She agreed that the addition of this type of fence would make the neighborhood look like a prison and belongs in the industrial zone rather than a residential area. She pointed out that there are other fences in town, such as the one by the Kiyi, that look really nice and still provide the desired security. Additionally, she said that in the 15 years she has lived in this neighborhood she has never experienced any crime.

John Beirl asked her if she would be against a fence in this location if it didn't have the barbed wire.

Alice Evenson said she would still be against it if it were a chain-link fence as these are ugly and wouldn't fit into the character of the residential neighborhood.

Mayor Lewis asked if adding landscaping would help.

Alice Evenson agreed that it would help, but that she still didn't want to have to look at a giant fence around the property.

Ron Nye clarified that the area they'd like to fence is not the whole lot but just the area on the east side of the property where cars are parked (see Scope of Work included in packet for location).

Ashley Sukanen, who also lives across Main Street from the property, said she had the same concerns about the fence having barbed wire or being eight feet in height. She too expressed

that she has never had issues with crime in their neighborhood, and that she wants to preserve the sense of community with neighbors that residents in this area share.

Ron Nye said he believed he could negotiate with GSA to remove the barbed-wire given the strong opposition and concerns about safety for children who live in the neighborhood.

John Beirl commented that most times people on both sides aren't willing to compromise but ideally in this case an agreement can be reached that both sides can live with.

Dick Pufall commented that there are similar chain link fences without barbed wire in residential areas elsewhere in the City.

Laurie Gregor asked the applicant if they would consider other types of fencing.

Ron Nye explained that there are options for fencing that don't look like a chain link fence but serve the same security purposes that could be used.

Motion to go out of Public Hearing by Katie Gellatly. Seconded by Laurie Gregor. Passed unanimously.

Lauri Gregor agreed that she did not like the barbed-wire fencing and thought it would be inappropriate in this residential area.

Motion to approve the construction of a security fence six feet in height without barbed wire by John Beirl.

Tony Lashbrook asked Mr. Nye if he had concerns for snow removal once the fence was constructed.

Ron Nye said he did not anticipate any issues with snow removal.

Motion seconded by Katie Gellatly. Passed unanimously.

b. Public Hearing and review of a Conditional Use Permit amendment to allow additional residential units at 419 Chapple Avenue, zoned Mixed Residential/Commercial (MRC). Applicant: Trudeau Construction, Inc.

Motion to go into Public Hearing by John Beirl. Seconded by Katie Gellatly. Passed unanimously.

Megan McBride explained the required Class 2 Public Hearing notice that was issued and discretionary letters were sent to property owners within 200 feet of the proposed fence. She then went through the criteria approval and recommended conditions outlined in the staff report.

Comments Received Prior to the Meeting:

Kathy Beeksma, Executive Director of the Ashland Housing Authority, expressed concerns about the encroachment to the 5th Street Corridor by the southern buildings creating a feeling of crowding for neighbors and community members using the trail. She also expressed concerns about stormwater runoff and snow storage for the property, and that the building designs do not fit with the historic nature of the depot building. She emphasized that she does support additional housing in Ashland and values the work already done on the site and does not want to see it negatively impacted by these changes.

Comments during the Meeting:

Megan McBride explained the required Class 2 Public Hearing notice that was issued and discretionary letters were sent to property owners within 200 feet of the proposed development. She then went through the criteria for approval detailed in the Staff Report that led to the staff recommendation of approval.

Tom Trudeau explained that the plans approved by the City in 2017 indicated areas of future expansion which would need to be brought back for approval prior to construction. He said that the requested CUP amendment clarifies the plans for expansion that were initially proposed.

John Beirl asked if the site currently drains onto the 5th Street Corridor.

Tom Trudeau said that it does not as they currently direct all stormwater into the storm drain on site.

Barbara Demming, the property manager for Ashland Arms located directly to the north of Mr. Trudeau's property, expressed concerns about the increased congestion/crowding in the area, how stormwater runoff will be addressed and where snow storage will be located.

Megan McBride explained that one of the conditions for approval of the Site Plan will be that the applicant work with the Public Works Department to ensure these items are properly addressed.

Barbara Demming explained that she had concerns about crowding because the proposed new building on the northwest corner of the property would be so close to the property line (and therefore the Ashland Arms building).

Tom Trudeau clarified that the building she was referring to will only be a garage with no residential units which is why the required setback is less than that of a new residential building.

Motion to go out of Public Hearing by Katie Gellatly. Seconded by John Beirl. Passed unanimously.

Laurie Gregor asked if this amendment to the site plan would require a new condo plat be done.

Mayor Lewis explained that the applicant will work with Planning & Development staff in the future to amend their condo plat as well.

Motion to approve the amendment to the Conditional Use Permit to allowed additional residential units with conditions by John Beirl. Seconded by Katie Gellatly. Passed unanimously.
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c. Review Site Plan amendment to multi-family residential development at 419 Chapple Avenue, zoned Mixed Residential/Commercial (MRC). Applicant: Trudeau Construction, Inc.

Megan McBride and Tom Trudeau explained which site elements had been altered or clarified since the original site plan that was approved in 2017. Megan McBride reiterated that one of the conditions for approval is that the applicant work with the new Utility Superintendent to ensure that drainage is being properly addressed on site and to discuss options for snow storage.

Motion to approve the amended site plan with conditions by John Beirl. Seconded by Mayor Lewis. Passed unanimously.

6) Announcements / reports / comments / questions

Mayor Lewis announced that Megan McBride has been appointed the Interim Director of Planning & Development for a period of six months at which time the City will either appoint her permanent director or begin recruitment for a new Director. She also announced that the housing development proposed for the Beaser Avenue Development site has hit a potential roadblock which has delayed their application for a Conditional Use Permit. However, the Mayor and Megan McBride are continuing to work with the developer as well as other potential funding sources to explore ways to make the project feasible.

7) Adjournment

Motion to adjourn by Laurie Gregor. Seconded by John Beirl. Passed unanimously.

The meeting was adjourned at 8:00 p.m. Minutes by Megan McBride.

STAFF REPORT

Plan Commission – November 6th, 2018

Agenda Item # 5a:	Conditional Use Permit Request to allow tool and equipment rental, general retail and equipment repair and service
Zoning District:	Mixed Residential Commercial (MRC) and Gateway-Overlay District
Property Address:	1310 Lake Shore Drive E
Parcel #:	201-01174-0000
Applicant:	Carlson Rental Equipment
Staff Contact:	Megan McBride

Background

Carlson Rental Equipment is requesting a Conditional Use Permit for the following conditional uses at 1310 Lake Shore Drive East:

- Tool and equipment rental;
- General retail; and
- Equipment repair and service (future use)

The applicant would like to utilize the existing building and outdoor areas to the east and north for rental and sale of light/medium industrial and construction equipment. They have also indicated future interest in expanding the existing building to accommodate servicing of their rental inventory as well as contracted repair of customer equipment. The future building expansion associated with this proposed equipment repair/service use would require Site Plan approval from the Planning Commission prior to construction.

The existing building would not undergo any structural alterations with this change in use, nor will any of the existing blacktop be changed. The applicant would like to place new equipment for display on the north side of the property facing US Hwy 2. The display equipment would be affixed to the ground for security and shall not encroach into the public right-of-way or impede pedestrian traffic in any way. The only other proposed change to the site would be installation of a fence on the east side of the building which would enclose additional larger inventory items. The applicant shall obtain a Fence Permit from the Planning & Development Department prior to installation to ensure that it meets UDO standards, will provide adequate screening as outlined in the UDO, and will be compatible with the surrounding neighborhood.

UDO parking regulations apply as a result of the change in use. There are 14 existing striped parking spaces on the west side of the lot, including one accessible space. Based on the square footages for each use a maximum of 15 parking spaces would currently be allowed on site, so no alterations will be needed to meet UDO parking requirements at this time. This development is exempt from UDO landscaping requirements as only a change in use is being proposed without alteration/expansion of the existing building structure or pavement area. Outdoor storage items shall be properly screened by a six (6) foot high sight-obscuring fence that will also be used for security of the equipment.

Standards for 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.

Conditional Use Review

The following decision criteria were used to review the submitted conditional use:

1. **Consistency with Comprehensive Plan.** The proposed development conforms with the goals and community values identified in the City of Ashland's Comprehensive Plan. While the Comp Plan directs the City to pursue initiatives that would attract new businesses to the area, it also emphasizes the importance of assisting existing businesses to thrive and expand as a central mechanism for economic development and keeping local dollars in the community. The Comprehensive Plan also identifies this area as a commercial corridor in the recommended Future Land Use map, and encourages land use planning to promote uses that are compatible with existing residences in mixed residential/commercial areas along US Hwy 2.
2. **Compatibility.** The proposed use is compatible with that of existing development within 200 feet of the site, within 500 feet along the same street, and with anticipated future development in the vicinity. The property is surrounded by other similar and compatible uses including an existing vehicle repair shop (Eder Bros) located directly across the street and a commercial and industrial contractor's yard (KBK Services) less than a block from the property. Additionally, its location on US Highway 2 and in the Mixed Residential/Commercial district is appropriate to accommodate the traffic generated by a commercial use without creating disturbances to nearby residences. The closest residential unit is located directly east of the property would be abutted by the screening fence which would screen both the equipment and traffic coming and going from the site.
3. **Importance of Services to the Community.** Carlson Equipment Rental provides a service to Ashland area property owners, businesses and contractors by providing a local option to procure a range of tools and equipment for rental and sale. Additionally, rehabilitation of the housing stock is a central priority identified in the Comp Plan as well as in the City's Strategic Goals which relies on the ability of contractors and homeowners to access the equipment they need.
4. **Neighborhood Protections.** The proposed use will not create negative impacts for the surrounding neighborhood which has been accustomed to traffic coming and going when the building was formerly utilized by Norvado. The residential property in closest proximity to the site will have sights of equipment and traffic screened by the fence. Planning & Development staff will work with the applicant through the Fence Permit process to ensure that the material and design selected will not adversely impact the residential neighbors near the property.
5. **Conformance with Other Requirements:** The development must conform to all other provisions of the UDO, including but not limited to:
 - o Obtain a Fence Permit prior to installation of the screening fence;
 - o Obtain a Sign Permit for new signage
 - o Outdoor display items shall not encroach into the public right-of-way nor cause a hazard to pedestrian traffic

Review Recommendation

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

- a. Return for Site Plan approval for future addition to the south side of the building for future equipment service/repair use
- b. Work with Planning & Development department to ensure screening requirements for outdoor storage are addressed

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 decision. The required Class 2 Public Hearing notice was issued and discretionary letters were sent to 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.

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City of Ashland

Department of Planning & Development

Carlson Equipment Rental is requesting a Conditional Use Permit for Parcel #201-01174-0000 located at 1310 Lake Shore Dr. E, which is currently zoned MRC (Mixed Residential/Commercial). The proposal for the use of the parcel includes the following:

- 1) Equipment Retail
 - Light/Medium Industrial and Construction Equipment Sales
- 2) Equipment Rental
 - Aerial Lifts, Skid-Steers, Mini-excavators, etc.
- 3) Equipment Service
 - Repair of Carlson Equipment Rentals fleet equipment as well as contracted repair of customer equipment.

Equipment would be stored both indoors (light equipment) and outdoors in the paved area to the east of the primary building, as well as to the north of the building. It is also proposed that the east side of the building be fenced for security purposes. Future permitted building on the south side of the property would house the proposed spaces for repair. A proposed map of the site is included with this conditional use request.

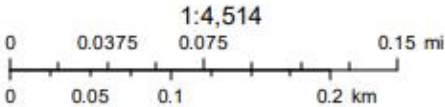
Carlson Equipment Rental currently operates at 412 3rd Ave E in Ashland, and provides the services to the areas homeowners, business, and contractors. The 1174 parcel is nearby existing contractor locations (KBK), and auto repair facilities.

Please be aware that this request of Conditional Use is part of a contingency in the offer to purchase submitted by Illick Holdings, LLC to Norvado.

1310 Lake Shore Drive E



10/29/2018, 2:39:41 PM



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Proposed Site Layout

