

Board of Zoning Appeals Variance Application

(To be completed by City Clerk or Zoning Staff)

City of La Crosse, Wisconsin

Application No.: 2610

Date Filed: 6/1/18

Application Complete: Yes X No _____ Reviewed By BT (Initial)

Filing Fee: 250.00

Date Paid: 6/1/18

(To be completed by the applicant)

Application Deadline: By 5:00 PM the first Wednesday of every month.

Building Permit Application Deadline: 10 Calendar Days prior to first Wednesday of every month for the Division of Fire and Building Safety to provide review. Any building permit submitted after deadline must wait until the following Board of Zoning Appeals meeting.

	Owner / Agent	Contractor
Name	MICHAEL CARLSON, FOR IMPACT SEVEN	BORTON CONSTRUCTION
Address	2961 DECKER DRIVE, RICE LAKE, WI 54868	2 COPELAND AVE # 201, LA CROSSE, WI 54603
Phone	608-405-9064	(608) 779-0400

Legal Description: SEE ATTACHED, City of La Crosse, Wis.

Tax Parcel Number: SEE ATTACHED

Lot Dimensions and Area: APP. 154' x APP. 356' feet. = 51,401 ACT. sq. ft.

Zoning District: R-1 CURRENTLY; SPECIFIC PLAN DEVELOPMENT, PENDING

A variance is a relaxation of a standard in a land use ordinance. The Board of Zoning Appeals decides variances. The Board is a quasi-judicial body because it functions like a court. The Board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden. The burden of proof falls on the variance applicant.

Process:

At the time of application, you will be asked to:

- **Complete an application** form and timely submit it with a non-refundable fee as required in La Crosse Municipal Code § 115-60; Failure to complete any section of the application form will result in rejection of the application. If additional space is needed, please attach additional pages.
- **Provide detailed plans** describing your lot and project (location, dimensions, and materials);
- **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance (Three-Step Test below); and
- **Stake out lot corners or lines**, the proposed building footprint and all other features of your property related to your request so that the Zoning Board and/or City staff may inspect the site.

Following these steps, the Division of Fire Prevention and Building Safety must approve the application as to form and completeness and then the application and fee must be submitted to the City Clerk. The zoning agency will then provide notice of your request for a variance to the City of La Crosse's official newspaper noting the location and time of the required public hearing before the Zoning Board. Your neighbors and any affected state agency will also be notified. The burden will be on you as a property owner to provide information upon which the Board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. If any of these requirements are not met or if you or your agent does not appear at the public hearing, the Board **must** deny your request for a variance and your fee will be forfeited.

Part A: General Information and Alternatives Analysis.

(To be completed by the applicant).

1. General Information.

Complete the questions in the general information section of the application to provide the necessary background information needed for the property at issue.

(a) Current use and improvements.

LAND IS CURRENTLY VACANT AND MOSTLY ELEVATED OUT OF THE FLOOD PLAIN
WITH RESPECT TO THE SURROUNDING NEIGHBORHOOD.

(b) Proposed Use.

50-UNIT, MULTI-FAMILY AFFORDABLE HOUSING DEVELOPMENT

(c) Description and date of any prior petition for variance, appeal, or special exception.

PLEASE SEE ATTACHED DESCRIPTION OF PRIOR MUNICIPAL REVIEW.

- (d) Description and location of all nonconforming structures and uses on the property.

SEVERAL STONE, LANDSCAPED STAIRWAYS AND AN ACCESSIBILITY RAMP CONNECT THE PUBLIC SIDEWALKS AT THE PERIMETER OF THE PROJECT SITE WITH THE PRIVATE SIDEWALKS BUILT AT THE HIGHER GRADE OF THE BUILDING. THESE STAIRWAYS AND THE RAMP ENCROACH INTO THE 15' "ZONE OF REFUGE" THAT SURROUNDS THE BUILDING FOUNDATION. SEE SITE PLAN AT SHEET A002 FOR LOCATIONS.

- (e) Ordinance standard from which variance is being sought (include code citation).

115-281(3)(a)(1) : "THE ELEVATION OF THE LOWEST FLOOR SHALL BE AT OR ABOVE THE FLOOD PROTECTION ELEVATION ON FILL...[WHICH] SHALL BE ONE FOOT OR MORE ABOVE THE REGIONAL FLOOD EXTENDING AT LEAST 15 FEET BEYOND THE LIMITS OF THE STRUCTURE."

- (f) Describe the variance requested.

APPLICANT SEEKS PERMISSION FOR STAIRWAYS AND ACCESSIBILITY RAMP TO ENCROACH INTO THE ZONE OF REFUGE AT THE AREAS INDICATED ON THE SITE PLAN AT SHEET A002.

- (g) Specify the reason for the request.

THE REQUEST, IF GRANTED, WILL PERMIT BOTH THE UNITS WITH STREET ENTRIES AS WELL AS THE BUILDING'S MAIN ENTRY TO CONNECT DIRECTLY WITH THE PUBLIC SIDEWALK THAT'S LOCATED MOST CLOSELY TO THE RESPECTIVE ENTRY DOORS.

- (h) Describe the effects on the **property** if the variance is not granted.

RESIDENTS MIGHT HAVE TO TAKE CIRCUOUTOUS ROUTES TO ACCESS THE PUBLIC SIDEWALK, WHETHER OUTSIDE THEIR UNIT ENTRY OR OUTSIDE THE PUBLIC ENTRY.

2. Alternatives.

Describe alternatives to your proposal such as other locations, designs, and construction techniques. Attach a site map showing alternatives you considered in each category below.

- **Alternatives you considered that comply with existing standards.** If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons why you rejected them.

APPLICANT EXPLORED PURCHASE OF ADJACENT LANDS FROM CITY TO HAVE A LARGER SITE MORE CAPABLE OF SATISFYING ALL THE ZONING AND FLOOD PLAIN REQUIREMENTS, BUT IT PROVED TOO EXPENSIVE AND INFEASIBLE AN APPROACH. PLEASE SEE ATTACHED "KANE STREET DEVELOPMENT - OPTIONS" MAP.

- **Alternatives you considered that require a lesser variance.** If you reject such alternatives, provide the reasons why you rejected them.

APPLICANT CONSIDERED BUILDING THREE STORIES TALL AND THEREBY REDUCING THE BUILDING FOOTPRINT, BUT DECIDED AGAINST THIS IN CONSULTATION WITH CITY STAFF, OWING TO THE PARTICULAR CONTEXT OF THE BUILDING WITHIN THE NEIGHBORHOOD AND CONCERN THAT TOO TALL A BUILDING MIGHT UNNERVE AND OVERWHELM NEIGHBORS AND THE STREET.

Part B: Three-Step Test.

To qualify for a variance, applicants must demonstrate that their property meets the following three requirements:

1. Unique Property Limitation. *(To be completed by the applicant).*

Unique physical characteristics of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances or desires of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances, or lack of objections from neighbors do not provide a basis for granting a variance. Property limitations that prevent ordinance compliance and are common to a number of properties should be addressed by amending the ordinance.

You will be asked whether there exist any unique physical characteristics to your property that prevent compliance with the ordinance. You will be asked to show where these unique physical characteristics are located on your property by showing the boundaries of these features on a site map. If there is not a unique property limitation, a variance cannot be granted.

Do unique physical characteristics of your property prevent compliance with the ordinance?

- ☒ **Yes.** Where are they located on your property? In addition, please show the boundaries of these features on the site map that you used to describe alternatives you considered.

PLEASE SEE SITE ELEVATION MAP AT SHEET C1-10 FOR EXISTING PHYSICAL CHARACTERISTICS AND SHEETS A004 AND A-400/401/402 FOR DETAILS ON HEIGHT OF BUILDING SITE WITH RESPECT TO STREET LEVEL. ALSO SEE "KANE ST. DEVELOPEMENT - OPTIONS" PLAN FOR APPROXIMATE BOUNDARIES OF THE HYPOTHETICAL LARGER SITE.

- ☐ **No.** A variance cannot be granted.

2. No Harm to Public Interest.

A variance may not be granted which results in harm to public interests or undermines the purpose(s) of the ordinance. In applying this test, the Zoning Board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community, and the general public. These interests may be listed as objectives in the purpose statement of an ordinance and may include:

- *Public health, safety, and welfare*
- *Water quality*
- *Fish and wildlife habitat*
- *Natural scenic beauty*
- *Minimization of property damages*
- *Provision of efficient public facilities and utilities*
- *Achievement of eventual compliance for nonconforming uses, structures, and lots*
- *Any other public interest issue*

(a) Ordinance Purpose. (To be completed by zoning staff).

The Zoning Board must consider the purpose and intent of zoning codes when considering a variance request. As promulgated by the City of La Crosse Common Council, the purpose and intent of the La Crosse Zoning Code include, but is not limited to, the following:

§ 8-86	§ 101-58	§ 109-6
§ 115-3	§ 115-140	§ 115-141
§ 115-148	§ 115-156	§ 115-158
§ 115-211	§ 115-319	§ 115-437
§ 115-510	§ 115-548	§ 115-594

The failure of any particular city official to identify additional purpose and intent information on the application does not preclude the city official from raising the issue at the public hearing on the requested variance.

(b) Purpose(s) of Standard from which Variance is Requested. *(To be completed by zoning staff).*

The City of La Crosse Building Inspector, Code Enforcement Officer and any other officials may be aware of other reasons a particular ordinance standard is required. The city official(s) may list those reasons on this application. The failure of any particular city official to identify additional purpose information on this application does not preclude the city official from raising the issue at the public hearing on the requested variance.

(c) Analysis of Impacts. *(To be completed by applicant).*

Discuss impacts (e.g. increased runoff, eroding shoreline, etc.) that would result if the variance were granted. For each impact, describe potential mitigation measures and the extent to which they reduce the impacts (i.e. completely, somewhat, or marginally). Mitigation measures must address each impact with reasonable assurance that it will be reduced to an insignificant level in the short term, long term, and cumulatively.

Short-term impacts are those that occur through the completion of construction. Long-term impacts are those that occur after construction is completed. Cumulative impacts are those that would occur if a similar variance requested were granted for many properties. After completing the impact analysis, you will be asked to give your opinion whether granting the variance will harm the public interest.

(1) Short-term Impacts (through the completion of construction):

- Impact: EROSION IN THE STAIRWELL EXCAVATION
Mitigation measure(s): SILT AND EROSION PREVENTION PLAN DESIGNED AND INSTALLED PER CODE
Extent to which mitigation reduces project impact:

PROPER EROSION CONTROL MEASURES WILL PREVENT EXCESSIVE EROSION AND RUN-OFF AT THE STAIRWELL EXCAVATION LOCATIONS. STAIRWAYS WILL BE BUILT PROMPTLY AFTER EXCAVATION TO AVOID UNDUE RUNOFF.

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

(2) **Long-term Impacts** (after construction is completed):

- **Impact:** STAIRWELLS AND RAMP WILL ENCROACH AT SOME LOCATIONS INTO THE 15' ZONE OF REFUGE
Mitigation measure(s): RESPECT THE 15' ZONE OF REFUGE AT THE REMAINDER OF THE SITE
Extent to which mitigation reduces project impact:
MITIGATION BY MEANS OF FILL, GRADING, AND RETAINING WALLS AT THE PERIMETER OF THE WHOLE SITE SHOULD REDUCE IMPACT ALMOST ENTIRELY. ALMOST ALL OF THE TERRAIN SURROUNDING THE SITE WILL BE IN COMPLIANCE, NOTWITHSTANDING THE STAIRWELLS AND ACCESS RAMP.
- **Impact:**
Mitigation measure(s):
Extent to which mitigation reduces project impact:

(3) **Cumulative Impacts** (what would happen if a similar variance request was granted for many properties?):

- **Impact:** ENCROACHMENT INTO THE 15' ZONE OF REFUGE AT BUILDING SITES AROUND THE CITY
Mitigation measure(s): RESPECT THE 15' ZONE OF REFUGE AT THE REMAINDER OF THE SITE
Extent to which mitigation reduces project impact:
PROVIDED THE 15' ZONE OF REFUGE IS OTHERWISE RESPECTED AND PROVIDED AT A SITE, THE IMPACT OF A STAIRWELL THAT DIRECTLY CONNECTS A FRONT ENTRY TO A PUBLIC SIDEWALK SHOULD BE ALMOST ENTIRELY MITIGATED.
- **Impact:**
Mitigation measure(s):
Extent to which mitigation reduces project impact:

Will granting the variance harm the public interest?

☐ **Yes.** A variance cannot be granted.

☒ **No.** Mitigation measures described above will be implemented to protect the public interest.

3. Unnecessary Hardship. (To be completed by the applicant).

The unique property limitation must create the unnecessary hardship. An applicant may not claim unnecessary hardship because of conditions that are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel.

You will be asked whether you are requesting an area variance or a use variance and to detail whether there exists an unnecessary hardship.

An **area variance** is a relaxation of lot area, density, height, frontage, setback, or other dimensional criterion. Unnecessary hardship exists when compliance with the strict letter of the area restrictions would unreasonably prevent the owner from using the property for a permitted purpose (i.e. leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The Zoning Board must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term, and cumulative effects of the variance on the neighborhood, the community, and on the public interests. This standard reflects the Wisconsin Supreme Court decisions in *State v. Waushara County Bd. Of Adjustment*, 2004 WI 56; and *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

A **use variance** is a relaxation of the zoning regulation on how the property is fundamentally used. A use variance allows property to be utilized in a manner not permitted by zoning regulations (i.e. an appropriate adaptive re-use of a school or church in a residential district). Unnecessary hardship exists only if the property owners show that they would have no reasonable or viable use of the property without the variance. Though not specifically restricted by statute or case law, a use variance is very rare because of the drastic effects it has on the neighborhood, the community, and the public interests. The Zoning Board must consider whether the owner has no reasonable return if the property is only used for the purpose allowed in zoning regulation, whether the plight of the owner is due to unique circumstances and not merely general conditions in the neighborhood, and whether the use sought to be authorized will alter the nature of the locality. See generally *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

Are you applying for an area variance or a use variance?☒ **Area variance**☐ **Use variance****Is unnecessary hardship present?**☒ **Yes. Describe.**

WE NEED TO PROVIDE SHORT, DIRECT ACCESS FROM THE UNITS WITH STREET-FACING FRONT DOORS TO THE PUBLIC SIDEWALK BELOW. OUR BUILDING AND SURROUNDING SITE OTHERWISE RESPECT THE ZONE OF REFUGE, AND THERE'S NO REASONABLE WAY FOR OUR BUILDING TO SHRINK ANY MORE BOTH TO ACCOMMODATE THE DEPTH OF THE STAIRWELLS AND TO ENSURE AT LEAST 15' BETWEEN THE TOP OF THE STAIR AND THE BUILDING FOUNDATION.

☐ **No. A variance cannot be granted.****Part C: Additional Materials / Exhibits.**

In order for the zoning staff to conduct evaluations, the applicant's site map, with a scale of not less than 1"=50', and other exhibits must show the following:

- ☒ Location of requested variance A002, C3-10
- ☒ Property lines C2-10
- ☒ Ordinary high-water mark C1-10
- ☒ Flood plain and wetland boundaries C1-10
- ☒ Dimensions, locations, and setbacks of existing and proposed structures C3-10, A003
- ☒ Utilities, roadways, driveways, off-street parking areas, and easements C3-10
- ☒ Existing highway access restrictions and existing proposed street, side and rear yards C3-10
- ☒ Location and type of erosion control measures C1-10, C1-10
- ☒ Vegetation removal proposed C2-10
- ☒ Contour lines (2 ft. interval) C1-10
- ☒ Well and sanitary system C3-20
- ☒ Location and extent of filling/grading C4-10, C4-20/21
- ☒ Any other construction related to your request C3-10/11
- ☒ Anticipated project start date ARCH. PLANS COVER SHEET
- ☒ Sign locations, dimensions, and other specifications A004
- ☒ Alternatives considered "KANE STREET DEVELOPMENT - OPTIONS" SHEET
- ☒ Location of unique property limitation C1-10
- ☒ Lot corners, lines, and footprints have been staked out (ON ORDER WITH ISG)
- ☒ Abutting street names and alleys A003
- ☒ Abutting property and land within 20 feet A003
- ☒ Indication of the direction "North" A002

Part D: Authorization to Examine

You **must complete and sign** the authorization for the City of La Crosse Board of Zoning Appeals and the Planning and Development Department to examine the property of the variance request.

I hereby authorize the City of La Crosse Board of Zoning and Appeals and the Planning and Development Department to inspect premises

At: 733 KANE STREET, LA CROSSE
(Address where variance is sought)

Date: _____ Signature of Owner: _____

Part E: Certification.

You **must sign your application**, certifying that it and any additional materials are accurate and do not contain any misrepresentations or omissions. An unsigned variance application will not be considered. You also must get the application notarized by a certified notary.

Submit completed application to: Board of Zoning Appeals
400 La Crosse St.
Clerk's Office- 2nd Floor
La Crosse, Wisconsin 54601

Submit complete copy to: Chief Inspector
400 La Crosse St.
Division of Fire Prevention and Building Safety
La Crosse, Wisconsin 54601

By signing below, I certify that I have received and reviewed all of the application materials. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application will be denied and any variance granted thereunder may be revoked.

Signed: (Applicant or Agent) SEE ATTACHED, NOTARIZED SIGNATURE

Date: MAY 21, 2018

Signed: (Owner, if different from applicant) _____

Date: _____

THE APPLICANT OR AGENT

THE OWNER

MICHAEL CARLSON
By: _____

STATE OF WISCONSIN)

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

COUNTY OF LA CROSSE)

Personally came before me this _____ day of _____, 2016, the above named _____ to me

known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Personally came before me this _____ day of _____, 2016, the above named _____ to me

known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, La Crosse County, WI
My commission expires: _____.

Notary Public, La Crosse County, WI
My commission expires: _____.

By signing below, I certify that I have received and reviewed all of the application materials. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application will be denied and any variance granted thereunder may be revoked.

Signed: (Applicant or Agent) [Signature]

Date: MAY 21, 2018

Signed: (Owner, if different from applicant) _____

Date: _____

THE APPLICANT OR AGENT

THE OWNER

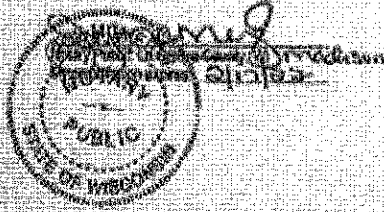
By: MICHAEL CARLSON

STATE OF WISCONSIN)
COUNTY OF LA CROSSE Dane)

STATE OF WISCONSIN)
COUNTY OF LA CROSSE)

Personally came before me this 23 day of May, 2018, the above named Michael Carlson to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Personally came before me this _____ day of _____, 2018, the above named _____ to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



Neely Place, La Crosse County, WI
My commission expires _____

By signing below, I certify that I have received and reviewed all of the application materials. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application will be denied and any variance granted thereunder may be revoked.

Signed: (Applicant or Agent) _____

Date: MAY 21, 2018

Signed: (Owner, if different from applicant) _____

Date: _____

THE APPLICANT OR AGENT

THE OWNER

MICHAEL CARLSON

By: _____

STATE OF WISCONSIN)

COUNTY OF ~~LA CROSSE~~ Dane)

Personally came before me this 23 day of May, 2018, the above named Michael Carlson to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

Personally came before me this _____ day of _____, 2016, the above named _____ to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, La Crosse County, WI
My commission expires: _____



LEGAL DESCRIPTIONS

733 Kane Street, La Crosse, WI Tax Parcel #17-10068-100

PART OF LOTS EIGHT (8), NINE (9), TEN (10), ELEVEN (11) AND ALL OF LOTS TWELVE (12), THIRTEEN (13), AND FOURTEEN (14), IN BLOCK TEN (10) OF MCCONNELL AND WHITTLESEY'S ADDITION TO THE VILLAGE OF NORTH LA CROSSE, CITY OF LA CROSSE, AND PART OF VACATED ST. CLOUD STREET MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 10 OF MCCONNELL AND WHITTLESEY'S ADDITION; THENCE NORTHERLY ALONG THE RIGHT OF WAY OF KANE STREET 15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 85° 07' 58" WEST 153.53 FEET TO THE EAST LINE OF THE ALLEY; THENCE NORTH 0° 43' 32" EAST 150 FEET MORE OR LESS TO THE NORTHWEST CORNER OF LOT 12; THENCE NORTH 06° 27' 10" EAST 202.6 FEET TO A POINT ON THE SOUTH LINE OF ST. CLOUD STREET; THENCE NORTH 83° 11' 31" EAST 130.44 FEET; THENCE SOUTH ALONG THE WEST LINE OF KANE STREET EXTENDED 19.79 FEET TO THE NORTHEAST CORNER OF BLOCK 10; THENCE CONTINUE SOUTH 0° 49' 37" WEST 336.11 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

833 Kane Street, La Crosse, WI, existing legal description Tax Parcel #17-10069-30

MC CONNELL & WHITTLESEY ADDN LOTS 8-13 & PRT LOT 14 BLOCK 11 AS FLWS COM AT SE COR SD BLOCK 11 TH N89D15M59SW 153.51 FT ALG N/L ST CLOUD ST TO SW COR LOT 14 & POB TH N0D43M28SE 369.81 FT TO S/L ST JAMES ST TH S89D27M47SE 154.18 FT TO W/L KANE ST TH S0D49M37SW 350.02 FT TH S83D 11M31SW 154.88 FT TO POB LOT SZ: 55,455 SF

833 Kane Street, La Crosse, WI, proposed legal description pending CSM approval

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 16 NORTH, RANGE 7 WEST, BEING LOCATED IN THE EAST ½ OF BLOCK 11, MCCONNELL AND WHITTLESEY'S ADDITION TO THE VILLAGE OF NORTH LA CROSSE, CITY OF LA CROSSE, COUNTY OF LA CROSSE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF ST. CLOUD STREET AND THE WEST LINE OF KANE STREET; THENCE SOUTH 82 DEGREES 16 MINUTES 41 SECONDS WEST, ASSUMED BEARING, ON SAID NORTH LINE, 154.88 FEET TO THE SOUTHWEST CORNER OF LOT 14 OF SAID PLAT; THENCE NORTH 00 DEGREES 13 MINUTES 28 SECONDS WEST ON THE WEST LINE OF SAID LOT 14 AND ITS EXTENSION, 236.20 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 10 SECONDS EAST, 154.10 FEET TO SAID WEST LINE OF KANE STREET; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST ON SAID WEST LINE, 215.61 FEET TO THE POINT OF BEGINNING.



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RECORD OF PRIOR MUNICIPAL REVIEW FOR GARDEN TERRACE

To gather feedback on our proposed General Development Plan for Garden Terrace, Impact Seven presented the project concept at the Lower Northside & Depot Neighborhood Association meeting on September 21, 2016. Impact Seven and Engberg Anderson Architects also participated in a Pre-petition Design Review meeting on October 7, 2016.

After the approval of our GDP, staff from Impact Seven and the I+S Group (ISG) met with the neighborhood association and district council member on October 24, 2017 to solicit feedback on project and plan developments. Neighbors were supportive of the project and presented concerns regarding storm water management.

On December 8, 2017, the project team attended the Multi-Family Design Review Committee meeting. Committee members emphasized the details they would look for prior to their final approval, and the Committee focused on site access and storm water management issues.

Shortly after that December design review, our contractor presented us revised construction costs that exceeded the contractor's earlier estimates by almost 20%. The cost increases were driven both by material and labor shortages and our growing understanding of the costs associated with building in the flood plain. Simultaneously, our tax credit pricing reduced owing to the changes in federal tax law, which diminished investor appetite for the credits owing to revised corporate tax rates.

We responded to the cost increases and funding deficits by 1) searching for additional sources of funding, 2) identifying a new general contractor, Borton Construction, local to La Crosse, and 3) revising our building plans from the original to the plans we are submitting for the City's and the Council's review.

On March 28, 2018, Impact Seven staff presented our revised site plan to the neighborhood association and the district council member for review. The attendees were supportive of the plan and reiterated their concerns regarding storm water management.

On April 26, 2018 the project team presented the revised plans to the Multi-Family Design Review Committee for comments and feedback. The Committee members were receptive to our changes and identified areas of key concern relative to retaining walls, parking, and storm water management.

On May 4, 2018, Impact Seven submitted its Specific Plan Development and rezoning application to City Zoning, in anticipation of City Council review at their meeting on June 14, 2018.



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