

Craig, Sondra

From: Elsen, Nikki
Sent: Tuesday, October 4, 2022 1:36 PM
To: Acklin, Tim; Craig, Sondra
Subject: FW: monitor building
Attachments: 9.28.22 LT to La Crosse City Clerk re Written Objection.pdf; Objection to Amendment of Zoning District Boundaries (City of La Crosse).pdf; semi route.pdf

NIKKI M ELSEN, WCMC

CITY CLERK

CITY OF LA CROSSE (POPULATION 50,869)
400 LA CROSSE ST, LA CROSSE, WI 54601
DIRECT: 608.789.7555 | OFFICE: 608.789.7510
EMAIL: ELSENN@CITYOFLACROSSE.ORG
WEB: WWW.CITYOFLACROSSE.ORG

City Clerk's Office hours: 8:00 a.m. to 4:30 p.m., Monday through Friday
Public Service hours 8:00 a.m. to 4:00 p.m. Monday through Thursday in the City Hall Lobby

From: Doug Bruha <doug@prizmco.com>
Sent: Tuesday, October 4, 2022 12:57 PM
To: Elsen, Nikki <Elsenn@cityoflacrosse.org>
Subject: FW: monitor building

*** **CAUTION:** This email originated from an external sender. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe. ***

Good afternoon

Will you please forward this email to all the council members

Thank you

Douglas Bruha

Prizm Print & Label President / Owner

204 Avon Street
La Crosse, WI 54603
Direct 608-782-4294, ext. 22
Cell: 608-792-1548

Please vote no on the zoning change it will put me on an island and make it hard for me to do business. I can't believe that the zoning next to me is getting changed without any regards to my business that has been in La Crosse since 1993

Doug Bruha

I would attend the meeting, but just tested positive for covid

Good Morning

Attached is the pdf paper work I dropped off. Also a semi route with color. The yellow being the new zoning and the red show that I will be surrounded. The black line indicates where my semi come of monitor to Avon through the parking lot and then bat to monitor street. I have been using this rout for delivery since 1999.

I can see 2 solutions

- 1) don't rezone and find a more suitable building that is al ready set up for apartments.. Maybe a motel?
- 2) purchase my building and move me. Your developer would have the whole corner and would be able to design anything they want. My building would be much easier to make apartments as it has windows on all sides. Could put 8 to 9 apartments in.

Thanks again

Douglas Bruha

Prizm Print & Label President / Owner

204 Avon Street
La Crosse, WI 54603
Direct 608-782-4294, ext. 22
Cell: 608-792-1548

From: Reynolds, Mitch <reynoldsm@cityoflacrosse.org>

Sent: Monday, September 26, 2022 9:27 AM

To: 'Doug Bruha' <doug@prizmco.com>; Kahlow, Chris <kahlowc@cityoflacrosse.org>; Trost, Jennifer <trostj@cityoflacrosse.org>; Gallager, Matthew <gallagerm@cityoflacrosse.org>; Neumeister, Scott <neumeisters@cityoflacrosse.org>

Subject: RE: monitor building

Mr. Bruha,

Thank you for reaching out and expressing your concerns.

I am excited to hear about Prizm Print & Label growth plans. We did not discuss those plans during our recent phone conversation so I look forward to learning more specifics. Fantastic to hear about our local businesses growing.

As I mentioned to you during our conversation, please feel free to call me anytime to discuss these and other issues related to the housing plans for that building space.

Sincerely,

m.

Mitch Reynolds

Mayor
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601
(608) 789-7500
www.cityoflacrosse.org

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From: Doug Bruha <doug@prizmco.com>
Sent: Monday, September 26, 2022 7:18 AM
To: Kahlow, Chris <kahlowc@cityoflacrosse.org>; Trost, Jennifer <trostj@cityoflacrosse.org>; Gallagher, Matthew <gallagerm@cityoflacrosse.org>; Neumeister, Scott <neumeisters@cityoflacrosse.org>
Cc: Reynolds, Mitch <reynoldsm@cityoflacrosse.org>
Subject: monitor building

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Good Morning

I received the paperwork regarding changing the zoning of the Monitor building. As you are aware the city is working on a plan for residential apartments. I spoke with Barb and she told me to reach out to you with my concerns. I do see a problem with my business being the only industrial business in the area. I would be sandwiched between two residential apartment buildings. I do plan to grow and run multiple shifts, and yes we will be making noise potential 24 hrs. a day. I also have semis and fork lifts delivering and unloading. As what happens in a light industrial commercial environment.

If the city does plan to convert the monitor building into apartments. I believe that you need to address my building as well. Move me ? Purchase my building and put it into the monitor plan as you will have the whole block.

I must express strongly again. We must address that I am the only commercial business operating in the area. I'm surrounded by residential buildings. Zoning is design to keep industrial business out of residential areas for multiple of common sense reasons.

Douglas Bruha

Prizm Print & Label President / Owner

204 Avon Street
La Crosse, WI 54603
Direct 608-782-4294, ext. 22
Cell: 608-792-1548

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September 28, 2022

La Crosse City Clerk
400 La Crosse Street
La Crosse, WI 54601

**Re: Written Objection to Ordinance Change
811 Monitor Street**

Dear Clerk & Members of the Common Council:

This firm represents Douglas Bruha, president and owner of Prizm Print & Label. Mr. Bruha submits this letter and the accompanying Objection to Amendment of Zoning District Boundaries form as his formal written objection to the proposed ordinance change which will change the zoning of 811 Monitor Street from "Light Industrial" to "Multiple Dwelling District."

Mr. Bruha's business and property is located at 204 Avon Street. This is directly adjacent to 811 Monitor Street. When viewing La Crosse County zoning maps, it is clear to the viewer that Mr. Bruha's property begins the demarcation between a residential area and an industrial area.

Mr. Bruha operates an industrial business. There is a reason that La Crosse City's zoning keeps industrial activities separate from residential areas. He is running heavy machinery, which produces noise. He has semi-trucks coming and going from his property. He has fork lifts unloading and loading materials. Again, this traffic creates noise and has the potential to pose a safety hazard to inattentive pedestrians. He intends to expand his business and add additional shifts. This will mean that his business will be creating noise and traffic at all hours.

Currently, Mr. Bruha's trucks exit and enter through the 811 Monitor Street property and parking lot. Trucks enter from Avon Street and exit through 811 Monitor Street's parking lot to Monitor Street. Mr. Bruha holds a partial easement to give him access from Avon Street, however, he does not have a formal easement agreement for his trucks to cross the Monitor Street parking lot. Currently this is permitted by the owners of 811 Monitor Street. Thus the change in ownership and the change in the nature and use of the 811

Monitor Street property has the potential to cut off traffic to Mr. Bruha's business; completely stifling it. Mr. Bruha's only other option would be to load and unload trucks on Monitor Street or on Avon Street and his workers would have to drive fork lifts a significant distance back to his business. This could potentially block traffic in Monitor Street or Avon Street and could potentially pose hazards to pedestrians.

Mr. Bruha asserts that the City is engaging in illegal spot zoning with this action. Rezoning should be consistent with long-term planning and based on considerations that effect the *entire* community. *Bell v. City of Elkhorn*, 364 N.W.2d 144, 148 (1985). Spot zoning should only be conducted when it is the larger public interest. *Cushman v. City of Racine*, 159 N.W.2d 67, 69 (1968). Mr. Bruha believes that this zoning is convenient only to the City of La Crosse and its Council as a short-term patchwork solution to the City's long-standing homelessness situation.

Zoning 811 Monitor Street from Light Industrial to Multiple Dwelling District is arbitrary and unreasonable and does not consider the effects on Mr. Bruha or the surrounding neighborhood. Further, when the City purchases this property and hands it over to a non-profit, it will no longer provide valuable property taxes to the City.

This zoning change will decrease the value of Mr. Bruha's property and potentially make it unsuitable to industrial buyers. The City is not proposing to compensate Mr. Bruha for his lost property value; which Mr. Bruha considers to be a governmental taking without just compensation.

For these reasons and others, Mr. Bruha opposes the ordinance change. Mr. Bruha established this business in La Crosse in 1993 and has been at this location since 1999. Mr. Bruha has been a valuable small business owner to the community and contributes valuable taxes to the community.

Very truly yours,

MOEN SHEEHAN MEYER, LTD.



Sarah E. Korte
skorte@msm-law.com

SEK/ms

cc: Client

**NOTICE OF HEARING ON
AMENDMENT TO ZONING RESTRICTION**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the Common Council of the City of La Crosse, by its Judiciary & Administration Committee, will hold a public hearing on a proposed ordinance change in the zoning code as follows:

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from the Light Industrial District to the Multiple Dwelling District allowing for the creation of affordable housing units at 811 Monitor St.

Property is presently used for: office space

Property is proposed to be used as: housing

Rezoning is necessary: because the city needs more housing units (this property could become 20-30 affordable housing units)

Tax Parcel 17-10294-120

PRT GOVERNMENT LOTS 4 & 5 COM SW COR SEC 29 N52D34M16SE 1412.59FT TO INTER E RW AVON ST & N RW MONITOR ST & POB ALG E RW N1D53M0SW 118FT N88D39M3SE 175FT N1D53M0SW 95FT TO S LN LOT 3 ROBERT & GRAYS ADDN N88D39M3SE 225.09FT TO SE COR LOT 3 S1D46M26SE 159.75FT TO SW COR LOT 5 ROBERT & GRAYS ADDN & N RW LN MONITOR ST ALG N RW LN S63D36M30SW 125.52FT S88D37M41SW 285.66 FT TO POB T/W ESMT IN V1381 P734

The City Plan Commission will meet to consider such application on **Monday, October 3, 2022 at 4:00 p.m.** in the Council Chambers of City Hall, 400 La Crosse St., in the City of La Crosse, La Crosse County, Wisconsin.

A public hearing before the Judiciary & Administration Committee will be held on **Tuesday, October 4, 2022 at 6:00 p.m.** in the Council Chambers of City Hall, 400 La Crosse St., in the City of La Crosse, La Crosse County, Wisconsin.

Final action will be determined by the **Common Council on Thursday, October 13, 2022 at 6:00 p.m.** in the Council Chambers of City Hall, 400 La Crosse St., in the City of La Crosse, La Crosse County, Wisconsin.

Any person interested may be heard for or against such proposed change, and may appear in person, by attorney or may file a formal objection, which objection forms are available in the City Clerk's Office.

The petition and/or maps relating to the above referenced amendment may be examined in the Office of the City Clerk, La Crosse City Hall, between the hours of 8:00 a.m. and 4:30 p.m. on any regular business day, holidays excepted, (by appointment) or in the Legislative Information Center which can be accessed from the City website at www.cityoflacrosse.org (search for File 22-1160).

Dated this 8th day of September, 2022.

Nikki M. Elsen, City Clerk
City of La Crosse

You are receiving notice because you have the following property located within 200 feet of the subject address above.

17-40300-250 – 225 LIBERTY ST
APM PROPERTIES LLC

