

## From the Desk of David E. Olson

June 4, 2017

To: La Crosse City Council

Re: Rezoning petition for Olson Family property at 225-227 & 231 21<sup>st</sup> St. No.

Dear City Council Member:

I have attended the City Plan Commission and J & A Committee meetings held on Tuesday May 30, 2017. I have also reviewed the City Planning Department recommendation in regards to our family's request to be rezoned to TND – General.

It appears there are 3 main points as to why our rezoning request has been recommended for denial by the City Planning Department and some neighbors.

The primary argument for denial is that the City's 2002 Comprehensive Plan indicates "Single Family Residential" at our parcels. "Single Family Residential" is accurate. Jason Gilman told me he cannot "arbitrarily change what's in the Comprehensive Plan" when making his recommendations and that was the main reason for recommending denial. However, it appears the City Planning Department did "arbitrarily change" what's in the Comprehensive Plan when they did their recommendation in their report for the Wanders rezoning submittal. City Engineer Randy Turtenwald spoke at the May 30, 2017 City Plan Commission meeting and stated he was part of the committee that worked on the 2002 Comprehensive Plan, and that he thought that some of parcels in the Marvin Wanders project (specifically the parcels across the street from us) were not designated as "medium intensity retail, off, or housing" in the Comprehensive Plan. The City Engineer was correct. On Wednesday May 31<sup>st</sup>, with the help of staff at the City Planning Department, we researched the Wanders rezoning petition and found out that only 4 (out of the 6 total) properties are designated in the Comprehensive Plan as "medium intensity retail, off, or housing". The other two Wanders properties located at 303 & 307 21<sup>st</sup> St. N. are designated for "Single Family Residential" in the 2002 Comprehensive Plan, the exact same designation as our family's two properties across the street at 225-227 & 231 21<sup>st</sup> St. N. Using the same logic by which our petition for rezoning has been recommended for denial by the City Planning Department, the Wanders project should have been recommended for approval for the 4 properties on 2008, 2012, 2018 & 2024 Campbell Rd. and his request to rezone 303 & 307 21<sup>st</sup> St. N. should have been recommended for denial. Our family is unjustly penalized if you give TND – General Zoning right across the street from us when those two properties across the street in the Wanders rezoning submittal are shown in the Comprehensive Plan as the same identical projected use as our properties.

The secondary argument for denial is that we do not have a "site plan" to show what we plan to build on the site. The City Planning Department report said "the applicant's submittal is not consistent with

the recommended submittals or character of a traditional neighborhood development". I would refer you to the statements made earlier in that same City Planning Department Report which clearly state that: "the model ordinance recommends, these guidelines are discretionary, the Planning Department recommends at a minimum". Nowhere does it say in the City Planning Department report that our family's submittal is incomplete or not in compliance. Furthermore, the City Planning Department staff could have called me and asked for any further information they would like added to our submittal and we would have been glad to comply. I also provided Tim Acklin with a copy of the letter we sent to the neighboring 40 property owners we were required to provide notice to. This letter addresses the concerns raised in the City Planning Department's report. I would also like to address the argument that our request is not consistent with the "character of a traditional neighborhood development". The Wanders' project, which will be located just across the street from us, will dramatically change the face of the neighborhood, while leaving our family with an old house which does not lend itself to desirability in the modern rental market nor suitability as a single family owner occupied housing. There is no financially feasible way or means to redevelop our properties under the current zoning for the properties, and the sheer scale of the project currently proposed for across the street from us would utterly preclude any possibility someone would ever build a brand new single-family house on our lot, as the current zoning and Comprehensive Plan would require, if you deny our petition.

The "no site plan" issue was addressed in my rezoning petition letter to neighboring property owners on May 15, 2017. I had requested to Tim Acklin that this letter be attached to the Council Members' information packet so that you could review the pertinent material it contained. A copy of that letter is attached. We wish to develop a plan which is in harmony with the neighborhood and the Wanders' project. To accomplish that goal we must see how the Wanders' project evolves and how it eventually takes shape in final form. I could have down-loaded some generic plans or photos from the internet and attached them to our submittal. But I did not. I provided photos of actual projects we have designed and built in La Crosse to demonstrate the quality and aesthetic value of our past projects. I have both the experience and track record to show I am qualified to assemble a successful project which increases tax base, beautifies the neighborhood, and serves the housing needs of the community. Any final project, which will go back before the neighbors for input during the TND – Specific rezoning portion of the project, will probably bear little resemblance to any site plans presented at this early stage in the process. Furthermore, any site plan will need to go before the City Plan Commission, J & A, Multi-Family Design Standards, and the Common Council for TND – Specific rezoning approval before a single shovel of dirt can be turned.

In order for our neighbors & City Council Members to have a better understanding of our property and why we need to have flexibility to develop it, I have offered to take the neighbors inside the property at the May 16, 2017 GENA association meeting, at a meeting on May 27, 2017 outside 231 21<sup>st</sup> St. N. on the sidewalk, at the City Plan Commission meeting on May 30, 2017 and I gave my phone number to a GENA representative (I believe it was Nora Garland) and requested she contact the GENA members and advise them that they were welcome to tour our building. To date no one


has called me yet for a tour. I also contacted several City Council Members with the same offer but only Council Member Scott Neumeister has been able to come over and view the properties. Once the properties are seen inside and out, a better understanding can be gained of why our family is requesting this rezoning.

The third argument for denial in the City Planning Department report suggests no attempt on my part to contact the neighbors & neighborhood. In the report under "RECOMMENDATION OF OTHER BOARDS AND COMMISSIONS" our rezoning request reads "N/A". In the Wanders rezoning submittal, the City Planning Department report read as follows: "Staff attended the GENA Neighborhood Association meeting on May 16, 2017 to listen to feedback on this rezoning request. No objections were raised during that meeting". I attended that meeting and was the one who spoke to the GENA members. Marvin Wanders was not at that meeting. I have also talked with the neighbors (see previous paragraph) at other times and done my utmost to work with them and inform them about the reasons behind our request to rezone. Staff member Andrea Schnick can verify my presence at the May 16, 2017 GENA meeting as can Council Members Patrick Brever & David Marshall. Finally, the letter attached to this letter was sent to 40 property owners within 200 feet of our properties and was also distributed at the May 16 GENA Neighborhood meeting. It was interesting to find out that of these 40 properties that 27 were rentals and only 13 appeared to be owner occupied residences. None of those 13 residences physically abut either of our two properties.

If you have any questions or concerns please feel free to call us at 608 782-0808.

Thank you.

Sincerely,

  
David E. Olson & Family

ATTACHMENTS:

1. May 15<sup>th</sup>, 2017 Olson Letter to Neighbors
2. May 30<sup>th</sup>, 2017 City Planning Department report on Wanders Rezoning Submittal
3. May 30<sup>th</sup>, 2017 City Planning Department report on Olson Rezoning Submittal

Cc: Mayor Kabat  
City Planning Department Director: Jason Gilman  
City Planning Department Senior Planner: Tim Acklin  
GENA Co-chair: Nora Garland  
GENA Co-chair: Emily Crook  
GENA Secretary-Treasurer: Casey Meehan  
GENA Member: Jacob Sciammas

## **From the desk of David E. Olson**

May 15, 2017

**To: Property owners required to be provided notice of rezoning petition**

**From: David E. & Elaine M. Olson  
1219 Madison Street  
LaCrosse, WI 54601**

**Re: Information on proposed rezoning at 225-227-231 21<sup>st</sup> Street No.**

**Dear Neighbor:**

**My wife and I have owned the property at 225-227 21<sup>st</sup> Street No. since 1971. We have owned the property at 231 21<sup>st</sup> Street No. since July 30, 1993.**

**We are seeking this rezoning to ensure our family can continue to rent our property with the quality housing we offer for rent at our various locations. According to the city assessor the property at 231 21<sup>st</sup> St. No. was built in 1888. With its cubbyhole bedrooms and general layout it does not lend itself to the modern rental market or suitability as single family owner occupied housing. The current building at 225-227 21<sup>st</sup> St. No. was built in 1981 and is still relevant in today's rental housing market. However, in the event of some disaster such as a fire it would be more practical to rebuild combining both properties into one development.**

**Since Marvin Wanders has applied for a large area across the street (see Map attached) to be rezoned from R-1 single family to TND General in order to develop 24 townhouses on the site our family felt that now is the time to develop a plan to transition our buildings into today's market conditions. We are applying for the same type of rezoning as Marvin Wanders is. Our hope is to develop our properties in a way which blends our future site plan in harmony with both the neighborhood and the Wanders project.**

**In the many years we have owned these properties in this neighborhood we have witnessed many changes. When this area was rezoned back in the late 1980's to R-1 Single Family the City's plan was to protect the neighborhood from student rentals expanding into this side of the campus area. While this goal may have had merit back then, in reality what has happened is these older buildings in this area have been sold to landlords and converted into student rentals because they are neither desirable as owner occupied homes nor is it financially feasible to tear these buildings down and replace them with single family dwellings.**

**When we were given the list of properties within 200 feet of 225-227-231 21<sup>st</sup> St. No. we discovered that out of 40 pieces of property, 27 were rentals and only 13 appeared to be**

**owner occupied residences. None of those 13 residences physically abut either of our two properties.**

**TND General Zoning was developed by the City many years after this area was rezoned in 1989 to R-1 Single Family. TND zoning classification gives the neighbors a voice and the City Council final control in how any redevelopment takes place. That is because the developer needs to get final approval for any project before the building permit can be issued to begin construction. This happens by the project developer applying to City for and receiving TND Specific Zoning which approves the individual project. Marvin Wanders has met with the neighborhood group and outlined his plans to them. It appears that the time could be right to protect the neighborhoods a little further away from the UWL campus by redeveloping the aging and outdated rental properties that border the UWL footprint with modern new housing compatible with the neighborhood.**

**Our family would like to be at the forefront of this future development of the area but before we would attempt to acquire any additional properties or invest in any design or architectural work we need to know that our neighbors are on board with us. Our family does not anticipate any immediate construction on these properties. This initial rezoning will simply permit us to move forward with future planning.**

**If you have any questions or concerns please feel free to call us at 608 782-0808.**

**Thank you.**

**Sincerely,**

**David E. Olson & family**

**CITY OF LA CROSSE, WISCONSIN  
CITY PLAN COMMISSION  
REPORT  
May 30, 2017**

➤ **AGENDA ITEM - 17-0547 (Andrea Schnick)**

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to the Traditional Neighborhood District - General allowing for rental housing at 2008, 2012, 2018, 2024 Campbell Rd. and 303, 307 21st St. N.

➤ **ROUTING:** J&A Committee, Public Hearing 5/30/17 7:30 p.m.

➤ **BACKGROUND INFORMATION:**

Marvin Wanders is petitioning the City to rezone 6 properties from R-1 Single Family to Traditional Neighborhood Development General. Mr. Wanders plans to combine lots for construction of multi-family property consisting of 8 1-bedroom and 16 2-bedroom townhouses for a total of 24 residences with 24 attached garages. Land assembly of these properties has occurred over the last 10 years. Current assessed value of the 6 properties is \$479,800.00. Estimated project cost of townhouses is \$3,828,589.00.

The TND ordinance is generally a custom zoning district intended to allow for area standard flexibility to match more traditional neighborhoods where historic structures are closer to the street and alleyways allow for rear vehicular access among other things. The TND zoning process requires an initial General Development Plan for the public to review (hearing) and for the Planning Commission and Council to act upon, establishing the basic right of the applicant to use the property for the applied for land use. TND zoning is then completed when the applicant submits a Final Implementation Plan, showing more detailed and finalized site and architectural plans.

In order for the Planning Commission and Council to act on the TND General Development Plan, the following is needed by the applicant pursuant 115-403 of the City's Code of Ordinances explicitly lists the guidance in Wis. Stats. 66.1027 and UW Extension's Model Ordinance for Traditional Neighborhood Development as the principal documents to guide City decisions on TND applications. The Associated Legislative Council Information Memorandum on TND actions provides the administrative interpretation relative to the TND enabling legislation intent, noting TND's favor compact, mixed use neighborhoods, modeled after pre-World War 2 development patterns.

According to these guiding documents, in order for the City to enact legislation approving a TND, the model ordinance recommends the City require a General Development Plan (GDP) along with the application for rezoning. While these guidelines are discretionary, the Planning Department recommends at a minimum, the

submittal show a site plan and the intended development and architectural style representing the Traditional Neighborhood Development Model Ordinance intent. The content of the GDP should include a significant amount of information relative to the intended development of the property, including; a conceptual site plan, a conceptual storm water management plan, a site inventory showing all natural features on the site, a conceptual contour/grading plan, identification of architectural styles to be constructed on site (representing the intent of the TND based on historic and/or compact mixed use styles) and covenants and/or maintenance agreements to be employed on the site.

➤ **GENERAL LOCATION:**

Grandview-Emerson Neighborhood, across Campbell Road from Mitchell Hall on the University of Wisconsin – La Crosse campus. See attached **MAP PC17-0547**.

➤ **RECOMMENDATION OF OTHER BOARDS AND COMMISSIONS:**

Staff attended the GENA Neighborhood Association meeting on May 16, 2017 to listen to feedback on this rezoning request. No objections were raised during that meeting.

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**
























The Land Use plan from the Comprehensive Plan indicated this area to be “medium intensity retail, off, or housing.” The proposed plan is consistent with the Comprehensive Plan.

➤ **PLANNING RECOMMENDATION:**

**Given the consistency with City’s Comprehensive Plan, the submittal of the site plan and the compliance of the architectural designs with a TND development, the Planning Department recommends approval of this ordinance amendment.** The Planning Department will review additional plans, such as storm water and grading plans, as part of the future multi-family design review process.



# BASIC ZONING DISTRICTS

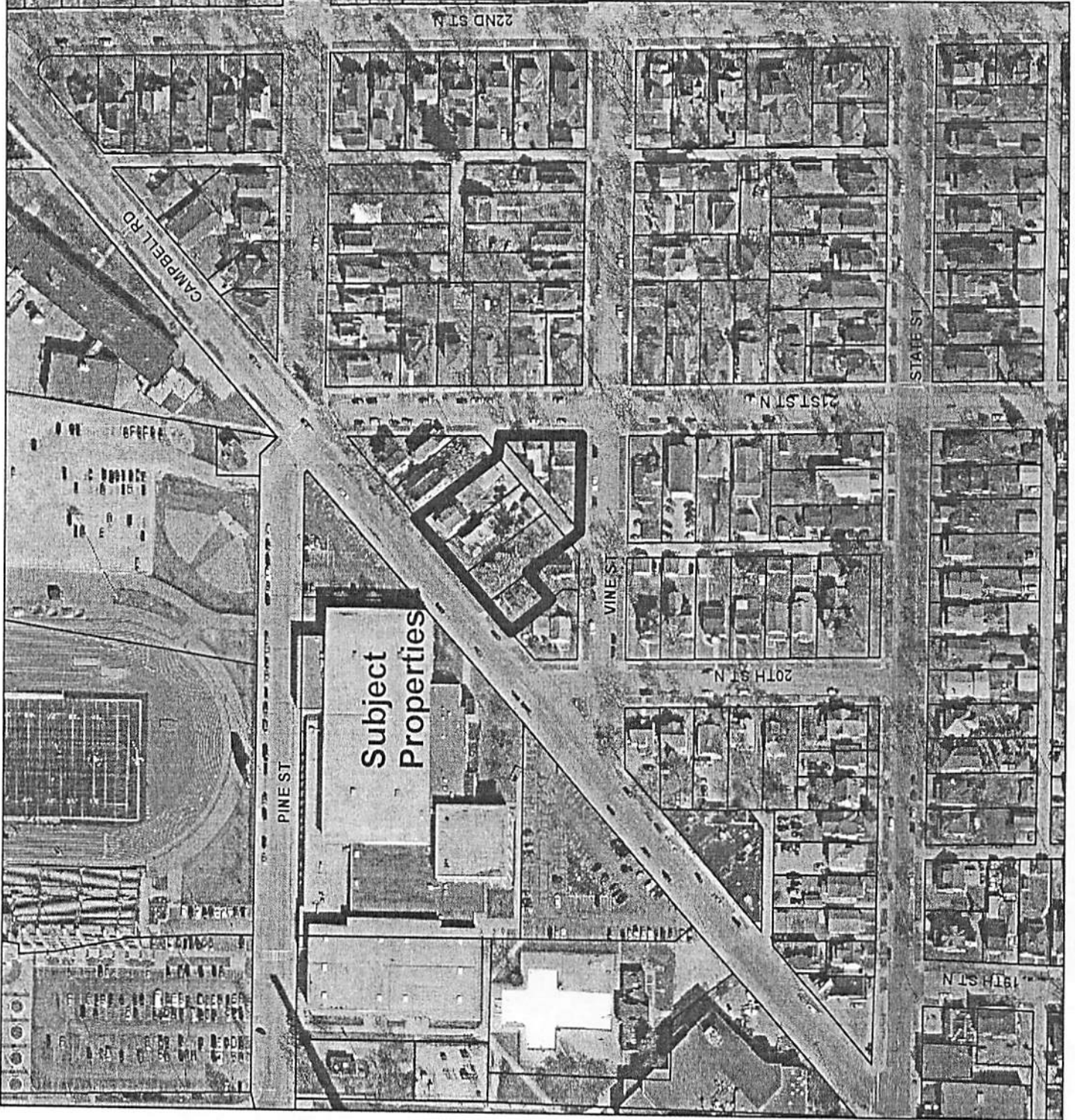
-  R1 - SINGLE FAMILY
-  R2 - RESIDENCE
-  WR - WASHBURN RES
-  R3 - SPECIAL RESIDENCE
-  R4 - LOW DENSITY MULTI
-  R5 - MULTIPLE DWELLING
-  R6 - SPECIAL MULTIPLE
-  PD- PLANNED DEVELOP
-  TND - TRAD NEIGH DEV.
-  C1 - LOCAL BUSINESS
-  C2 - COMMERCIAL
-  C3 - COMMUNITY BUSINESS
-  M1 - LIGHT INDUSTRIAL
-  M2 - HEAVY INDUSTRIAL
-  PS - PUBLIC & SEMI-PUBLIC
-  PL - PARKING LOT
-  UT - PUBLIC UTILITY
-  CON - CONSERVANCY
-  FW - FLOODWAY
-  A1 - AGRICULTURAL
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-  SUBJECT PROPERTY





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**CITY OF LA CROSSE, WISCONSIN  
CITY PLAN COMMISSION  
REPORT  
May 30, 2017**

➤ **AGENDA ITEM – 17-0579 (Jason Gilman)**

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to the Traditional Neighborhood District - General allowing for rental housing at 225-227 and 231 21st St. N.

➤ **ROUTING:** J&A Committee, Public Hearing 5/30/17 7:30 p.m.

➤ **BACKGROUND INFORMATION:**

David and Elaine Olson are petitioning the City to rezone the properties at 225-227 and 231 21<sup>st</sup> Street North from R-1 Single Family Residential to Traditional Neighborhood Development General. The TND ordinance is generally a custom zoning district intended to allow for area standard flexibility to match more traditional neighborhoods where historic structures are closer to the street and alleyways allow for rear vehicular access among other things. The TND zoning process requires an initial General Development Plan for the public to review (hearing) and for the Planning Commission and Council to act upon, establishing the basic right of the applicant to use the property for the applied for land use. TND zoning is then completed when the applicant submits a Final Implementation Plan, showing more detailed and finalized site and architectural plans.

In order for the Planning Commission and Council to act on the TND General Development Plan, the following is needed by the applicant pursuant 115-403 of the City's Code of Ordinances explicitly lists the guidance in Wis. Stats. 66.1027 and UW Extension's Model Ordinance for Traditional Neighborhood Development as the principal documents to guide City decisions on TND applications. The Associated Legislative Council Information Memorandum on TND actions provides the administrative interpretation relative to the TND enabling legislation intent, noting TND's favor compact, mixed use neighborhoods, modeled after pre-World War 2 development patterns.

According to these guiding documents, in order for the City to enact legislation approving a TND, the model ordinance recommends the City require a General Development Plan (GDP) along with the application for rezoning. While these guidelines are discretionary, the Planning Department recommends at a minimum, the submittal show a site plan and the intended development and architectural style representing the Traditional Neighborhood Development Model Ordinance intent. The content of the GDP should include a significant amount of information relative to the intended development of the property, including; a conceptual site plan, a conceptual

storm water management plan, a site inventory showing all natural features on the site, a conceptual contour/grading plan, identification of architectural styles to be constructed on site (representing the intent of the TND based on historic and/or compact mixed use styles) and covenants and/or maintenance agreements to be employed on the site.

➤ **GENERAL LOCATION:**

225-227 and 231 21st St. N.

➤ **RECOMMENDATION OF OTHER BOARDS AND COMMISSIONS:**

N/A

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

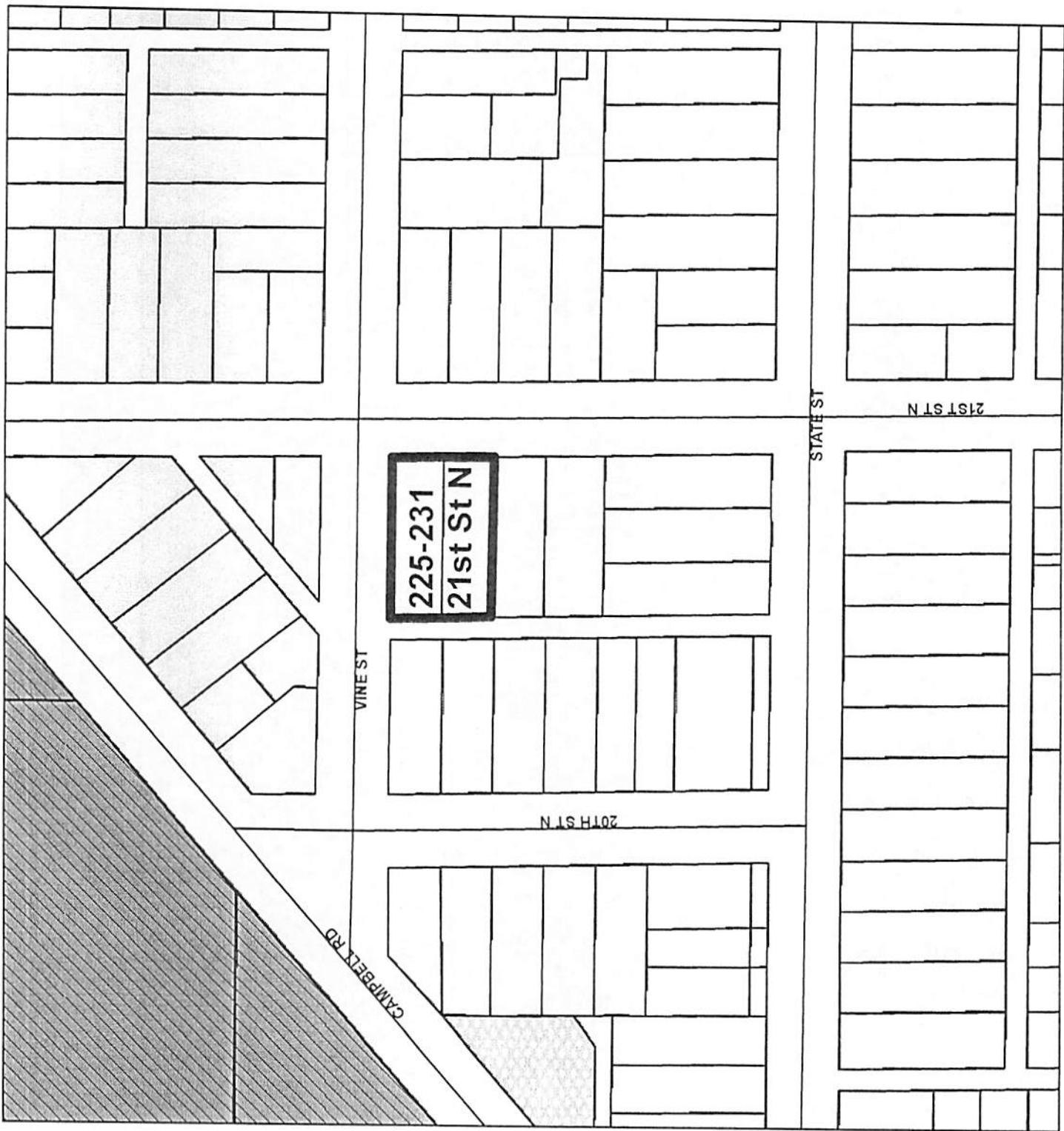
These parcels are indicated as Single Family Housing in the City of La Crosse Comprehensive Land Use Plan.

➤ **PLANNING RECOMMENDATION:**

**Given the City's Comprehensive Plan indicates Single Family Residential at these parcels and the applicants submittal is not consistent with the recommended submittals or character of a traditional neighborhood development, the Planning Department Recommends this ordinance be denied.**

# BASIC ZONING DISTRICTS

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## BASIC ZONING DISTRICTS

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