

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
August 29, 2016**

➤ **AGENDA ITEM - 16-0739 (Tim Acklin)**

Application of Bruce E. Banes and Brandon C. Rigger (Castle La Crosse LLC) for a Conditional Use Permit at 1419 Cass Street allowing a bed & breakfast in a single family district.

➤ **ROUTING:** J&A Committee

➤ **BACKGROUND INFORMATION:**

The applicant is requesting to use the property depicted on attached **MAP PC16-0739** as a bed and breakfast establishment. The applicant states in their application that they would like to open this year with four guest bedrooms, add a fifth guest bedroom in the Spring of 2017, and add a sixth bedroom later that year. The bed and breakfast establishment would occupy the 1st and 2nd floors of the building while the owners would occupy the 3rd floor. Plans for the proposed use are attached as part of the legislation.

➤ **GENERAL LOCATION:**

1419 Cass Street

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

N/A

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

N/A

➤ **PLANNING RECOMMENDATION:**

Per Section 115-343(6) of the Municipal Code bed and breakfast establishments shall be subject to the following additional requirements:

- a. An approved floor plan shall be kept on file with the Department of Planning and Development.

A floor plan was not submitted as part of the application. A floor plan will need to be submitted to the Planning Department.

- b. The owner shall reside on site. An owner shall be an individual with 25 percent or greater interest in the inn.

The owners of the site will be residing on the site. They intend to occupy the entire 3rd Floor.

- c. The use is considered a commercial activity and requires site plan approval by City Plan Commission.

A copy of their site plan is included in their application and is attached as part of the legislation.

- d. Parking shall not be detrimental to nearby properties due to excess noise, odor, glare or other factors.

All proposed parking is to remain on the property. No additional lighting has been proposed. A 6ft fence does partially screen the proposed parking area from the property to the west as it is 4ft of solid fence with 2ft of lattice.

- e. Nothing which contributes to the historic nature of the neighborhood in which the bed and breakfast inn is located may be removed to provide additional space for the inn or parking for the inn.

Nothing is being proposed to be removed. The applicant has stated that, in order to provide some parking, they may need to move a fence located along the alley to the north, 10ft to the south.

- f. There shall be no other bed and breakfast inn within 400 feet of the property. This distance requirement may be reduced by the Common Council with a determination that public health, safety and welfare shall be preserved. The inn shall be located only in a historically significant structure.

There is no other bed and breakfast establishment within 400ft of this property. This property is listed on the City's Local Register of Historic Places and as a contributing building in a historic district on the National Register of Historic Places.

- g. There shall be no substantial modifications to the exterior appearance of the structure; however, fire escapes, entrances for persons with disabilities and other features may be added to protect public safety.

The applicant has stated in their application that no substantial modifications will be made to the exterior of the home.

- h. No interior modification shall be injurious to this historic character of the structure, including but not limited to, floors, woodwork, chair rails, stairways, fireplaces, windows, doors, cornices, festoons, molding, and light fixtures.

The applicant has stated in their application that no substantial modifications will be made to the exterior of the home.

- i. Breakfast shall be served on the premises only for guests and employees of the inn. Rooms may not be equipped with cooking facilities. No other meals shall be provided on the premises.

The application does not state that any other meals would be served to the guests.

- j. The bed and breakfast establishment shall provide a minimum of one parking space per bed and breakfast sleeping room and a minimum of two parking spaces for the use of the operator and family of the operator provided, however, the City Plan Commission may determine it sufficient for less parking spaces in extenuating circumstances so long as it is not detrimental to the neighborhood. Parking requirements must be met on the site of the bed and breakfast establishment dwelling and must comply with the off-street parking requirements in [section 115-393](#).

The applicant does indicate on their site plan the locations of the proposed parking spaces. The plans depict the locations of six (6) guest spaces for each guest bedroom and plan on using the existing carriage house for the two (2) required spaces for themselves. As submitted their proposed parking spaces in front of the carriage house will not be permitted to be counted as at least one of them, if not both, would be blocking access to the parking spaces located within the carriage house. They will have to relocate the one space, if not both. They have indicated on their site plan that they could create additional parking off of their alley if needed, by moving their fence to the south 10ft. It appears that in order to meet their parking requirement they may need to do this for 1-2 of the required spaces. A more detailed parking plan that includes dimensions of each parking space and dimensions of the drive aisles will need to be submitted and approved by the Traffic Engineer.

- k. Signs shall conform to the requirements of [chapter 111](#).
No signage has been proposed. The owners would only be allowed one (1) residential sign indicating the name of the bed and breakfast and not exceeding more than two (2) square feet. The owner would also only be permitted one (1) directional sign indicating "entrance" or "parking" that also does not exceed two (2) square feet.

- l. The structure that is requested to be licensed shall be designated as a historic structure pursuant to the provisions of article II of [chapter 20](#).
The property was listed as a City Historic Landmark in June 1995.

- m. The minimum size structure containing the bed and breakfast establishment shall be 2,000 square feet of normal residential space, exclusive of garages and storage sheds. Lavatories and bathing facilities shall be available to all persons staying at any bed and breakfast establishment.
The total square footage of the structure is approximately 10,400sqft with approximately 7,300 being used for the Bed and Breakfast and approximately 3,100 of being used for the owner on the third floor. There are 7 full baths and 1 half bath

located in the structure. Staff is of the understanding that most, if not all, of the rooms will have their own bathroom.

Many concerns regarding the proposed use have been brought to staff's attention from some of the surrounding property owners. Staff will address each concern below. The concerns are:

- 1) Screening of the guest parking.
Currently there is a 6ft (4ft solid, 2ft lattice) fence screening the proposed parking on the west side of the lot from the property to the west. The most that can be added to the fence to further screen the parking is to convert the 2ft of lattice to solid fence. Additional screening could be provided with trees or tall shrubs. Staff feels that there is no need to screen any parking that may be located off of the alley. It is an alley.
- 2) Being able to provide all of the required off-street parking spaces on the property.
This concern is addressed above.
- 3) Additional traffic through the alley if parking spaces are created off of the alley.
Currently, this property does not generate any traffic through the public alley as there is a driveway off of Cass Street and the door on the alley side of the carriage house is not large enough for a vehicle to fit through. At most it seems that the applicant would need to only create two (2) parking spaces off of the alley. In staff's opinion this additional traffic would not create a safety concern. Additionally, if this were a private residence the owners could pave over the entire space to the east of the carriage house for 8-10 cars and there is ordinance that could prohibit that.
- 4) Refuse and Recycling requirements and location.
Per City Ordinance this property cannot be serviced by the City as there are more than 8 bedrooms in the structure. The applicant will be required to contract out their own garbage pick up. This does not mean that they will have to have a dumpster(s). They will be required to provide adequate garbage/refuse/recycling facilities for the property and may be ordered to have dumpsters by the City if they fail to do so.
- 5) Additional lighting.
No additional lighting is proposed at this time. Any lighting installed will have to meet Municipal Code 103-330 (8) "Outdoor light fixtures attached to any residential structure or accessory structure in all residential zoning districts shall be properly installed, maintained and shall be directed and/or shielded so that there will be no objectionable direct light emissions. Illumination shall be limited to 0.5 foot candles at a height of five feet above the ground at the subject property line."
- 6) Signage.
This concern is addressed above.
- 7) Employees/employee parking.
No additional employees have been proposed. It is the understanding of staff that only the owners of the bed and breakfast will be operating the business. There is no

language in the Municipal Code that prohibits or permits other employees or requirement that parking has to be provided for them.

8) Bed and Breakfast use only.

Staff was asked if this property could be used for other events in addition to the use as a bed and breakfast. In discussion with the Building and Inspections Department staff has determined that no other special events that are advertised to the public may be held at this location. The building may not be rented out for private parties or receptions. Special events for the paying guests would be permitted. Any private events hosted by the owners would be permitted.

9) Additional traffic on driveway off of Cass Street.

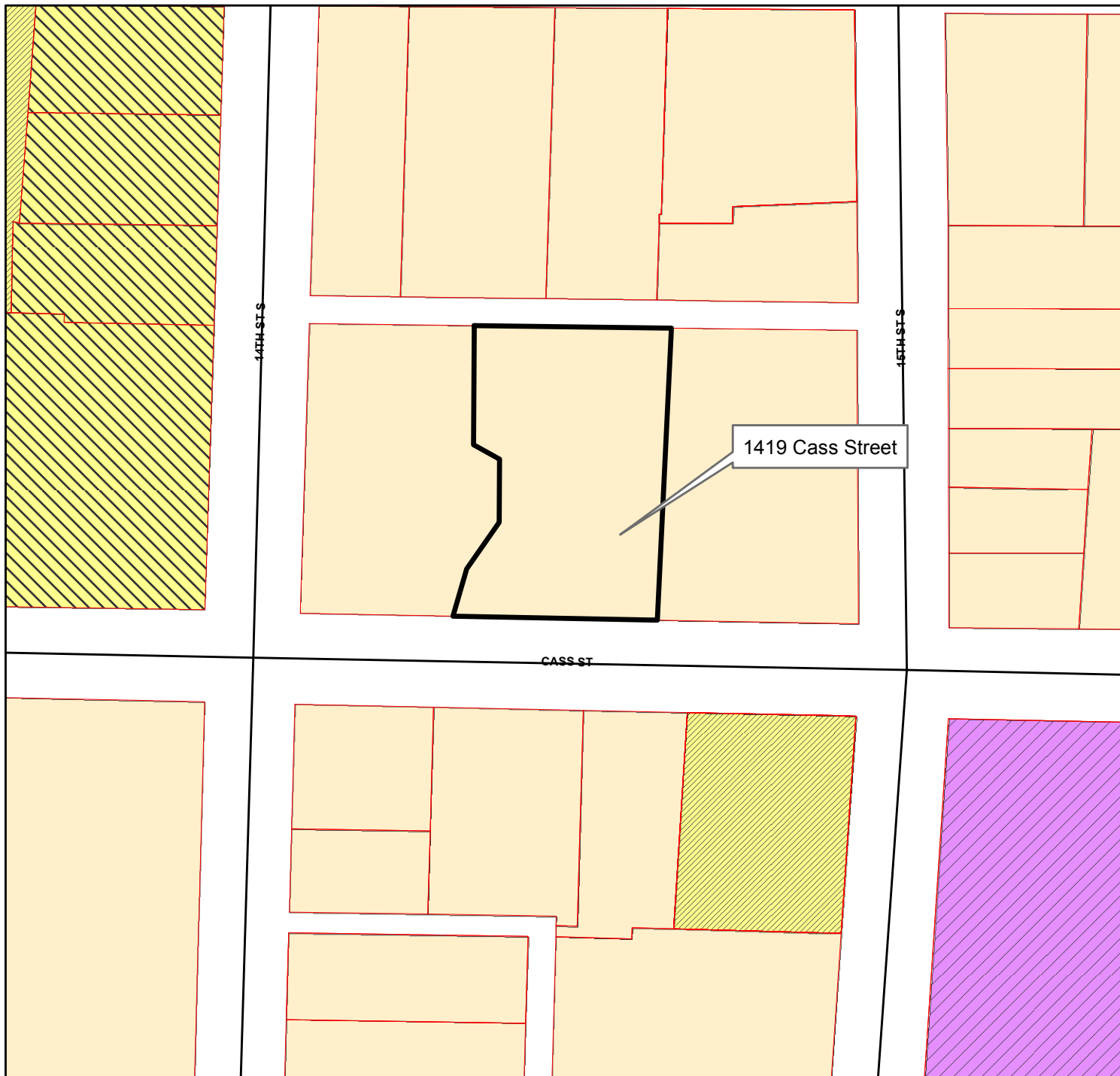
The issue was that the use as a bed and breakfast would generate additional traffic on Cass Street across the driveway that could be a safety hazard for pedestrian along the public sidewalk. While pedestrian safety is always a concern staff does not feel that the amount of traffic being generated by this use would have a serious impact on pedestrian safety. Staff does propose that a 15ft vision clearance is maintained at this driveway in order to provide as much visibility of pedestrians as possible.

While many concerns have been raised about this property being used as a bed and breakfast establishment, staff feels that they can be addressed and that the overall use will not have a detrimental effect on the surrounding properties. **This Application is recommended for approved with the following conditions:**
























- 1) If the property ceases to be used as a Bed and Breakfast establishment for more than one (1) year, the CUP is rescinded and new CUP will have to be applied for.**
- 2) All proposed signage must comply with the City of La Crosse's Sign Code.**
- 3) If the adjacent property owner to the west would like additional screening of the parking area the applicant must provide a 6ft solid fence or other form of screening.**
- 4) Must submit a parking plan of the site clearly depicting the proposed parking spaces with dimensions and include the width of the drive aisles. Plan must be approved by the Traffic Engineer.**
- 5) Must provide six (6) off-street parking spaces for guests. Must provide two (2) off-street parking for the owners. Each space must be 8.5ftx17ft.**
- 6) Must submit a floor plan for each floor of the building depicting its proposed use.**
- 7) Must provide adequate refuse and recycling containers for the property. If dumpsters are used they must be screened from the alley with a dumpster enclosure. Plans and designs of the dumpster enclosure must be approved by the City Plan Commission.**
- 8) Any proposed lighting must meet Municipal Code Section 103-330 (8).**
- 9) Property may only be used as a bed and breakfast only. No other special events that are advertised to the public may be held at this location. The building may not be rented out for private parties or receptions. Special**

events for the paying guests would be permitted. Any private events hosted by the owners would be permitted.

10) A 15ft vision clearance must be maintained at the driveway off of Cass Street.



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
-  EA - EXCLUSIVE AG
-  City Limits
-  SUBJECT PROPERTY

