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Sent: Thursday, August 1, 2024 9:25 AM
To: ZZ Council Members
Subject: 24-0951

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In light of discussion at Council meetings this week, I'm resubmitting my original letter of concern regarding the REACH center rezoning. Much like real estate, zoning is about location, location, location. It encompasses intended land use for a parcel based on its surroundings and alignment with a municipality's long term plans. Acceptance of rezoning petitions should NOT be about Council's ideological support of a property owner, the desire of an organization to locate wherever best suits them, or threats of "potential litigation" (the mayor's words from the 7/29/24 CPC Meeting) when a property owner doesn't get their way. Regardless of our City's need for the services provided by the REACH center, the rezoning question hinges on location. Analyzing this situation, the following questions come to mind: Is this parcel, which abuts a historic residential area, situated between a school and the YMCA youth center, an appropriate place for the petitioner's facility? Does TND zoning align with how the property will be used? Would a rezoning request be granted if the REACH center was not the applicant? Will Scenic Bluffs' provide dental services to the district's school children in this location long term or is it a false front to gain a foothold in this neighborhood? Why is the City seemingly abandoning a 20 plus year plan to return this parcel to housing at a time when LaCrosse is in desperate need of additional residential units?

Furthermore, the planning department is insisting that TND zoning is the appropriate classification for this property without giving Council or the community any clear understanding of their vision of the scope of a Traditional Neighborhood District. Our City's code references a state statute and model ordinance that outlines what a TND area might look like but our own planners have called this model "non-exclusive". They don't subscribe to its basic tenets(see the letter below for more specificity) but have not put forward any framework or language describing a model for TND unique to LaCrosse. How then can our City zone this, or any other parcel, to TND without explicitly codifying this classification? The generous leeway for interpretation of this zoning type benefits the petitioner, not the City or its residents. Without clearly defined parameters, or even a basic statement of intended purposes, our current TND ordinance can be used as a loophole by developers to skirt undesired restrictions or a catch-all category that doesn't distinctly define future land use intentions. Neither of these scenarios are in LaCrosse's best interest and will ultimately undermine its carefully thought out Comprehensive Plan.

Below is my original letter of concern related to the rezoning petition from 3/8/24.

I'm writing to express my concern over the REACH center's rezoning from Washburn residential to TND. My position on this issue has nothing to do with the mission of the these important service providers but is focused on the long term impact to the City of LaCrosse. The Council's decision should not be swayed based on who's submitted a particular request. Instead, its focus should be on serving the current and future best interests of LaCrosse and its residents. Continuing down the current path to provide expeditious and short sighted solutions to today's most pressing issues will only create bigger and more difficult problems down the road. When evaluating your vote, please be mindful of the following:

- LaCrosse Municipal Code section 115-403 references Wisconsin State Statute 66.1027(2) pg 13 (A Model Ordinance) It states, "all residents should be within a 1/4 mile or 5 minute walk from existing or proposed commercial, civic and open space areas. Individual businesses should not exceed 6000 SF in size." While each municipality is given leeway to determine specifics, the intended nature of TND set forth in this model ordinance describes a walkable community centered around small business/institutional areas that serve nearby residents. The REACH center is not small (approx 30,000 sf) and aims to serve a region wide client base. Why then did they not seek a more appropriate medical/institutional zoning for the services they intend to provide and their desire to draw clients from all over Western Wisconsin? The answer is simple. They were advised by the

planning department to seek TND zoning because it is detailed on page 36 of the City's comprehensive plan that an institutional use in this area is undesirable.

This is not the first, nor will it be the last, incidence where individuals at City hall have chosen to manipulate, bend, or violate the spirit of the zoning code to benefit special interest groups and developers. Ask yourself if an individual property owner would be given the same lenient interpretation of municipal codes as is being shown here to the REACH center. If this zoning change is passed it sends the message that the City is willing to shoehorn inappropriately zoned applications in residential areas and TND zoning is the loophole that allows them to do so.

- Since purchasing this property, some representatives of the REACH center have been and continue to be disingenuous with neighbors, the community and Council. I have been in communication with residents that live near this property, attended neighborhood and Council meetings and tried to weigh this issue from both sides as an outside observer. What I witnessed at the planning commission and J&A meetings (*see footnote) was a calculated effort by a powerful, connected special interest group to steamroll and bully a neighborhood coached by city representatives to ensure the furtherance of their agenda. They have disparaged and dismissed citizens and misrepresented events and their intentions.

Perhaps the most glaring inconsistency is Scenic Bluff's claim that they could not remain in their current location (a location that is appropriately zoned and also centrally located and convenient for clients to access). Gunderson has issued a rebuttal to Kim Hawthorne's statements made at the J&A meeting regarding the termination of Scenic Bluffs' lease agreement. While unfortunate, Scenic Bluffs did not do their proper due diligence before entering into an equity share purchase of the property. It was only after they chose not to renew their lease with Gunderson and began making upgrades to the building on 11th St that they realized they would not legally be able to make the necessary improvements without a change in zoning. This is not the fault of nearby neighbors and they should not have to bare the burden of Scenic Bluffs' oversight. If an individual property owner made a similar mistake would the City be bending over backwards to change the zoning for them? I highly doubt it.

Footnote * When were public hearing rules changed? This J&A meeting is the perfect example of why equal time should be given to supporting and opposing viewpoints. It was obvious that representatives from the REACH center knew about this recent change and "stacked the deck" so those opposed would not be given an equal voice.

- While I have not been able to verify the source, amount or details of the grants received by REACH for facility improvements, the speculated amount being spent on solar panels seems disproportionate to the value they will add. The \$450,000-\$600,000 investment would be much better used directly serving their clients. If the funds can only be used to provide sustainable energy options, why not look into assisting disadvantaged homeowners add solar panels to their properties instead? This would have a more tangible and widespread effect and serve a greater good than what is currently being proposed.

Since the onset of this process I have not heard anyone dispute that the services provided by Scenic Bluffs, Couleecap and the YWCA are very much appreciated, needed and essential to LaCrosse. That being said, these important contributions are irrelevant to this process. The issue at hand is whether or not TND zoning is an appropriate designation for this parcel and for the usage purported by the petitioner.

Will removing the "non-conforming use" and Washburn Residential classification help the community or erode the community? This is a very fragile area of town and it is just beginning to see a resurgence due to the hard work, dedication and perseverance of committed residents. They are not selfish, uncaring, or bigoted and don't oppose this zoning change because they have a "NIMBY" attitude. They care deeply about their community (not just their neighborhood) and share a common goal to be an integral part of its long term success. This zoning change will reverse the direction of progress seen in recent years. It removes the carefully thought out zoning overlays put in place decades ago to help address the blight that has eroded this neighborhood for far too long. The good work of the REACH center and its partners will continue (albeit perhaps in a different location) whether this zoning change passes or not. Will the revitalization efforts of the Washburn neighborhood, 10th and Cass Historic District, Downtown Residential Historic District and the King St Greenway Expansion continue?

The request to accommodate what is most convenient for a special interest group may have far reaching, devastating effects on the future of LaCrosse. I encourage you to deny this zoning change and instead partner with the REACH Center to find a better solution.

Thank you for taking the time to read my email.

Sincerely,

