

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
December 4, 2017**

➤ **AGENDA ITEM – 17-1595 (Jason Gilman)**

Application of City Brewing Company LLC for a Conditional Use Permit at 1102 4th St. S. allowing for fencing and swing gate on vacant parcel.

➤ **ROUTING:** J&A, Public Hearing 12/5/17 6:00 p.m.

➤ **BACKGROUND INFORMATION:**

City Brewing Company LLC has requested the installation of a fence at the end of a north-south alley between 3rd and 4th Street just north of Jackson Street and south of the former Nells Grill on the Brewery campus. The request appears to include a section of fence 7' high with privacy slats, with a 20 foot swing gate at the end of the alley. A future section of 50 feet is also shown on the exhibits with the application, but is not included in this request. This request appears to indicate continuing the existing fence along the south lot line of 1102 4th Street and 1111 3rd Street to the existing building on 1111 3rd Street (formerly Nells Grill). The requestor is citing safety concerns due to public traffic entering and exiting the private property at the alley and potential conflicts with employees who park and walk from the parking lot north of the alley terminus.

A Conditional Use Permit is required per municipal code section 115-398 (d) which states: *Fences on nonresidential property* . Fences are permitted on the property lines in all commercial zoning districts but shall not exceed eight feet in height in commercial zoning districts and ten feet in height for property zoned light or heavy industrial and shall be of an open type similar to woven wire, chainlink or wrought iron fencing. Solid vinyl or composite fences are only allowed on property lines abutting a residential property, but cannot be taller than six feet. The fence can be up to eight feet tall by a conditional use permit.

1102 4th Street and 1111 3rd Street are zoned C-1 Commercial and M-1 Light Industrial respectively.

This permit is needed as the requestor is asking for a fence in excess of 6 feet adjacent to a residential district.

➤ **GENERAL LOCATION:**

1102 4th Street and 1111 3rd Street at the north-south alley terminus along the southern edge of the properties.

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

This item will be referred to the Judiciary and Administrative Committee

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

N/A

➤ **PLANNING RECOMMENDATION:**

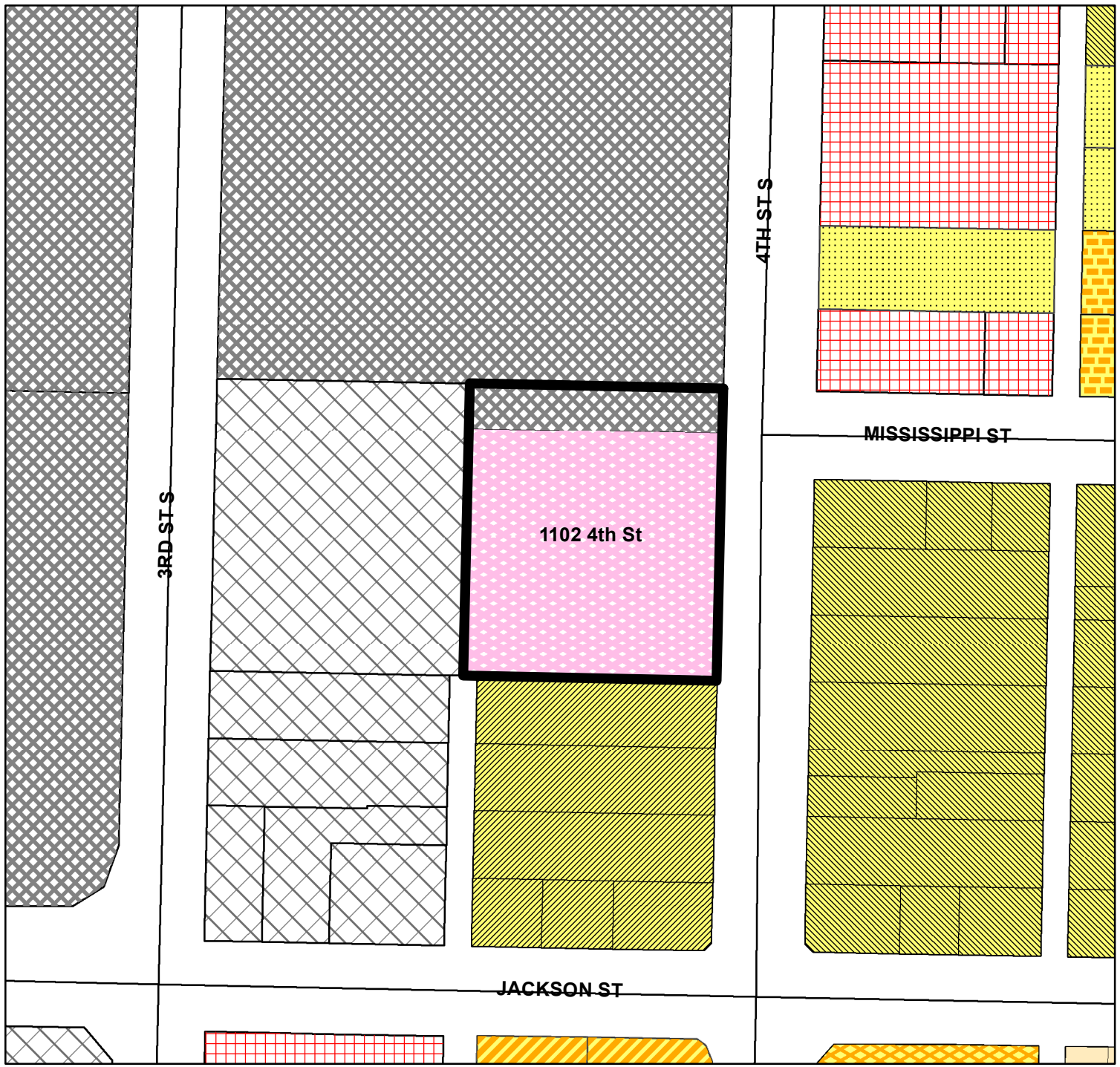
Generally, residential fences can be constructed up to 6 feet high and commercial fences up to 8 feet, with industrial up to 12 feet. The code considers fences in between districts to comply with the lesser of the heights of abutting zoning districts to avoid industrial appearance adjacent to residential zones, and to provide for consistency and preservation of residential character in residential settings.

It should be noted that while the southern abutting uses are residential in nature, the zoning on the property south of 1111 3rd is Light Industrial. The parcel east of the alley and south of 1102 4th is R-5 Multiple dwelling.

The existing fence the new section of fence will be matching is also greater than 6 feet high.

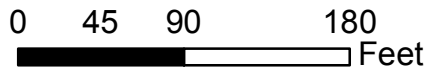
Given the context, adjacent zoning, the pre-existing condition and the nature of the industrial land use abutting residential to the south, the 7 foot height request to match existing is recommended for approval with the following conditions:

1. Owner shall leave enough distance from the southern-most parking stall to the new fence to avoid people backing into the fence from the 90 degree stall.
2. Owner shall match existing fence to maintain the general character of the fencing.
3. Owner shall acquire all necessary permits for the fence and abide by all applicable fence ordinance requirements.



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





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



