

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
December 3, 2018**

➤ **AGENDA ITEM – 18-1255 (Tim Acklin)**

Application of Tomah VA Medical Center for a Conditional Use Permit allowing Community Living Arrangement at 3120 Farnam Street.

➤ **ROUTING:** J&A

➤ **BACKGROUND INFORMATION:**

The applicant (Tomah VA Medical Center) is requesting a Conditional Use Permit to use the property depicted on attached **MAP PC18-1255** as part of their Transitional Residence Program. The property would be donated to the applicant by the current owners and be used to house up to 10 people. According to the applicant's September 2019 petition the Transitional Residence Program is designed to provide veterans with an opportunity to develop and practice responsible, positive life skills as they prepare for community reintegration.

The applicant states that they would like to have this facility in La Crosse as there is a large veteran population here that is being underserved. Also La Crosse offers more job opportunities than Tomah. This house is also an ideal location for this facility as it is located on a bus route and is less than a mile away from La Crosse's CBOC on State Road. The existing home has 7 bedrooms, 4 bathrooms, and a large community area. The applicant has stated that a few of the residents would have to double up in some of the bedrooms but would be able to meet the Federal Criteria for room size and square footage per person. Their application has stated that they will be able to provide approximately 4-5 off-street parking spaces. Visitors and staff would have to park on the street. They have stated that the majority of their residents in the program do not have cars and would not need to provide 1 parking space per resident.

There would be 1, 24/7 paid VA staff member, 1 house manager and 1 assistant house manager that would all reside on the premises and be in charge of the facility. The 2 house managers would also be participants in the program. Additional information can be found in their cover letter, petition, and VA Handbook that is attached as part of the legislation.

Though not licensed by the State, this type of facility falls under the City's Community Living Arrangement Ordinance and must meet the distance and density requirements. Since this facility is within 2,500ft of 4 other facilities it does not meet the distance requirement. Adding an additional 10 people would not exceed the density restriction. Since they do not meet the distance requirement the applicant must apply for a Conditional Use Permit.

Prior to the October cycle of meetings, the Tomah VA submitted a letter to the City requesting a 30-day referral in order to revise their petition. The City Plan Commission recommended a 60-day referral in order to give them additional time. Planning Staff requested that the following information also be included in their revised petition:

- 1) Data on existing “like” facilities that include safety records, operation plans, etc.
- 2) Site plan clearly depicting the proposed parking on the property.
- 3) Definitive information on tax exempt status.
- 4) Total Proposed Occupancy

➤ **GENERAL LOCATION:**

3120 Farnam Street.

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

The Bluffside Neighborhood Association discussed this item at their Monday, September 24th meeting. Several neighborhood residents expressed their concerns for safety, the number of people that would be living there, the decline of property values, lack of off-street parking, and inadequate staffing.

The Tomah VA also held a listening session at their clinic on 2600 State Rd for the surrounding neighbors in September. The listening session included the Director of the Tomah VA and 7 other staff members. They provided more detail on the scope of the program, how this facility fits into the overall program, where the residents that would be allowed to live in this facility are at in their treatment and the program, and the levels of security, rules, and how the facility is managed. The neighbors asked many questions and voice their concerns. One of their largest concerns was the conflicting information between what was stated to them at this meeting versus the information that was included as part of their petition. The Director was concerned about that suggested that the application should maybe be withdrawn or referred so it can be revised. Other concerns by the neighbors included safety for their families, potential decline of property values, too large of a facility with too many people, possible future expansion, loss of tax base, budget for continued maintenance of the house, not compatible with the surrounding single family neighborhood, inadequate staffing or qualified staff with credentials, and lack of off-street parking.

The City Plan Commission and Judiciary and Administration Committee recommended a 60-day referral at their October meetings.

The Common Council approved a 60-day referral at their October 11, 2018 meeting.

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

N/A

➤ **PLANNING RECOMMENDATION:**

As of November 29, 2018 the applicant has not submitted a revised petition to the City. Both Planning Staff and the City Clerk's Department contacted them on Monday, November 26th to remind them. Since no new/revised petition has been submitted, Planning Staff will provide a recommendation based of their original petition.

Per Municipal Code 115-364(b)(2) Planning staff uses the following provisions when reviewing Conditional Use Permit petitions for Community Living Arrangements:

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or welfare.

Since this type of facility is new to La Crosse there is no local data on whether it will be detrimental to or endanger the public health, safety or welfare. Planning staff asked for data from other "like" facilities in other communities to compare as part of their revised petition. Additionally, several questions were raised by the neighborhood about the credentials, training, and number of staff proposed and whether it was enough to adequately operate the facility in a safe manner. These items were also expected to be addressed in their revised petition. Also, it was unclear in their original petition on where in the rehab process the occupants in the proposed facility would be in the Program. The applicant clarified this issue at their public informational meeting and at the City Plan Commission Meeting by stating that the occupants staying in this facility would be at the end of the program having met very specific criteria to be allowed to stay there. It was expected that this would also be addressed more specifically in their revised petition.

2. That the City will be able to provide municipal services to the property where the conditional use is proposed, given due consideration of the costs of providing such services.

The applicant's petition stated that the property would be donated to the Tomah VA. Since the applicant is a non-profit organization it is anticipated that the applicant will be seeking tax exempt status for the property. Currently the property is assessed at \$445,200. (\$52,700 Land, \$392, 500 Improvement). In 2017 the taxes for this property were \$12,967.40 with the City share at \$5,470.99. Concerns were raised by the neighbors about that amount of tax base being lost. Staff also had concerns about the cost of municipal services being provided to this property that would now fall on private citizens if the property were to become tax exempt. Staff asked the applicant about establishing a PILOT payment for municipal services as part of their CUP. This issue was expected to be addresses as part of their revised petition.

3. That the uses, values, and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.

At the applicant's public informational meeting and at the City Plan Commission meeting several neighbors raised the issue about the property already being too large for the neighborhood and that it is located much higher than many of the surrounding properties.

- 4. That the establishment of the conditional use will not impede normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

Concerns were raised about the applicant's possible plans for future acquisition and expansion of the surrounding properties either for an addition, or a new building, or a surface parking lot. This concern was expected to be addressed in their revised petition.

- 5. That adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.**

Concerns were raised by both staff and neighbors about off-street parking. Their petition states that they are proposing up to 10 occupants but would only be able to provide 4-5 off street parking spaces. The applicant states that most of the participants in the program do not own cars. The property is also located on a bus route. Any additional cars would have to park on the street. Staff requested that a more detailed parking plan be submitted detailing exactly where they are able to provide parking and where they expect overflow parking to occur.

- 6. That appropriate measures to address transportation demand have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.**

Neighbors have raised concerns about the potential increase in traffic congestion in the neighborhood due to vehicle usage by the large number of occupants, visiting staff, and visiting families and friends.

- 7. That the conditional use shall conform to all applicable regulations of the district in which it is located.**

- 8. That when applying the above standards to an application by a community living arrangement the City Plan Commission shall:**

- i. Bear in mind the City's general intent to accommodate community living arrangements in applying these criteria.**
- ii. Exercise care to avoid an over-concentration of community living arrangements which could create an institutional setting and seriously strain the existing social structure of the community. Considerations relevant to the determination**

include:

A. The distance separating the proposed community living arrangement from other such facilities.

There are four (4) other Community Living Arrangement facilities located within 2,500ft of this property. Three (3) of them are located within 3-5 blocks.

B. The capacity of the community living arrangement and the percentage by which the facility will increase the population of the aldermanic district and/or the City.

This pertains to Community Based Residential Facilities (CBRF) only. The proposed population of this CLA is 10. The current CLA population of Aldermanic District is 8. CLA population should not exceed 1% of the population of the aldermanic district. The population of Aldermanic District 7 is 3,910. (2010 Census) 1% of 3,910 is 39.

C. The total capacity of all community living arrangements in the City.

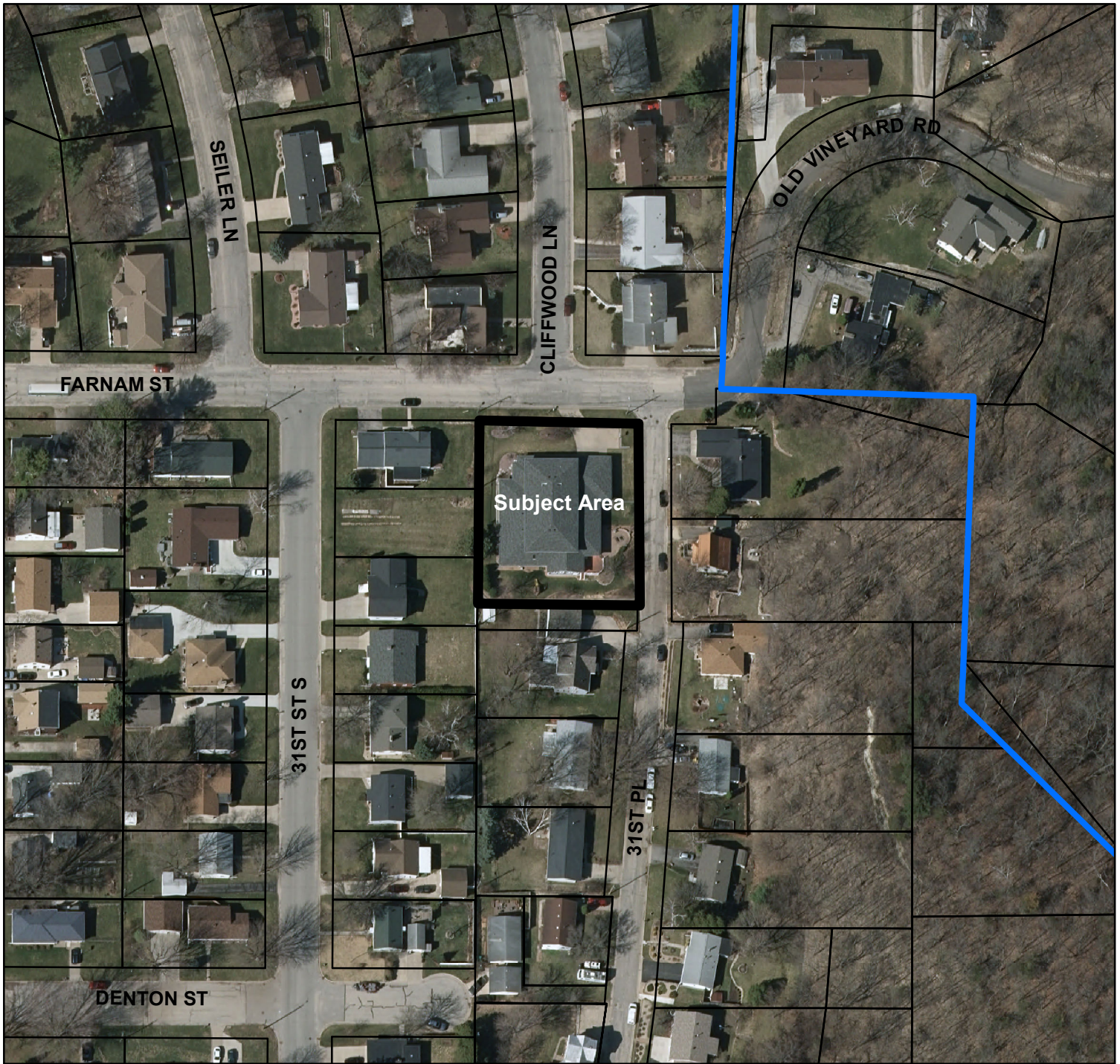
This pertains to Community Based Residential Facilities (CBRF) only. The total population of all CLA's in the City 250. !% of the City's population of 51,320 (2010 Census) is 513.

D. The impact on the City of other community living arrangements.

E. The success or failure of integration into communities or other community living arrangements operated by the individual or group seeking the conditional use permit.

F. The ability of the City to meet the special needs, if any, of the applicant facility.

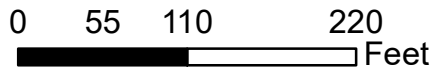
Due to several pieces of information and specific details that have not been provided to staff for review, in order to meet the above provisions this item is recommended for denial. Should the applicant submit a revised petition prior to the City Plan Commission meeting on December 3, 2018 staff recommends a 30-day referral in order to give City staff and the surrounding neighborhood sufficient time to review and comment on it.

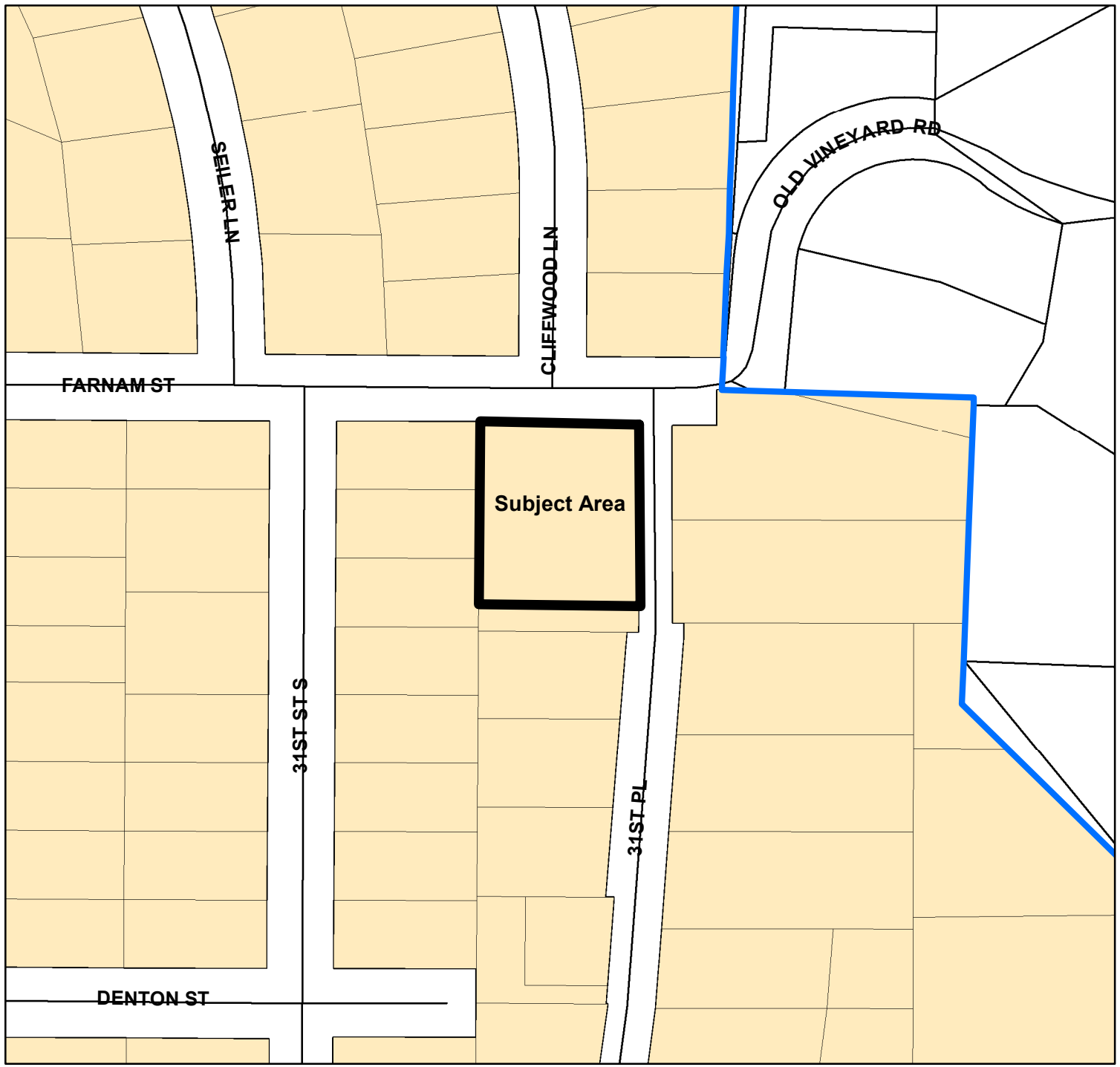


BASIC ZONING DISTRICTS

	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







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