



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Agenda City Plan Commission

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Thursday, February 12, 2026

5:00 PM

Council Chambers

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### Special Meeting

The meeting is open for in-person attendance and will also be conducted through video conferencing. To join the meeting click this link (or typing the URL in your web browser address bar):

<https://cityoflacrosse-org.zoom.us/j/85193167933?pwd=dvI0on0u1s4f3Tq8YIPj0YSm2qOUQX.1>

Meeting ID: 851 9316 7933

Passcode: 905618

Call in: 1-305-224-1968.

The meeting can be viewed by visiting the Legislative Information Center (<https://cityoflacrosse.legistar.com/Calendar.aspx>) and clicking on the "In Progress" video link to the far right in the meeting list.

If you wish to speak on an agenda item, arrive early to sign up before the meeting begins. If attending virtually and you wish to speak, contact the Department of Planning, Development and Assessment at the email or phone number below so we can provide you with the necessary information to join in. Members of the public who would like to provide written comments on any agenda may do so by emailing [tranea@cityoflacrosse.org](mailto:tranea@cityoflacrosse.org), using a drop box outside of City Hall or mailing the Department of Planning, Development and Assessment, 400 La Crosse Street, La Crosse WI 54601. Questions, call 608-789-7512

### Call to Order

### Roll Call

### Approval of Minutes

1. Approval of the January 5, 2026 Meeting Minutes.

### Agenda Items:

2. [26-0030](#) Annual Code of Ethics Policy Review.

Attachments: [City of La Crosse Code of Ethics Policy](#)

3. [26-0085](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from the Commercial District to the Planned Development District - Specific, allowing for a mix of uses including commercial, retail, and office spaces, a recycling facility, and future construction of approximately five apartment units and a building for a retail or food establishment at 4329 East Avenue S. and 4342, 4344, 4348, and 4354 Mormon Coulee Rd.

**Attachments:** [Ordinance](#)

[Rezoning Petition](#)

[300-foot Property Owner Buffer List](#)

[Buffer Map](#)

[Notice of Hearing](#)

## Adjournment

*Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.*

### NOTICE TO PERSONS WITH A DISABILITY

*Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to [ADAcityclerk@cityoflacrosse.org](mailto:ADAcityclerk@cityoflacrosse.org), with as much advance notice as possible.*

City Plan Commission

Mayor Shaundel Washington-Spivey, Elaine Yager, Jacob Sciammas, James Cherf, Jennifer Trost, Matt Gallagher, Olivia Stine, Aron Newberry and James Szymalak.



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 26-0030

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**Agenda Date:**

**Version:** 1

**Status:** Agenda Ready

**In Control:** City Plan Commission

**File Type:** General Item

**Agenda Number:** 2.

## DIVISION 2. - CODE OF ETHICS

Footnotes:

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**State Law reference—** Code of ethics for public officers and employees, Wis. Stat. § 19.41 et seq.; code of ethics for local government officials, employees and candidates, Wis. Stat. § 19.59.

### Sec. 2-126. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Anything of value* means any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the City, fees, honorariums and expenses which are permitted and reported under Wis. Stat. § 19.56, political contributions which are reported under Wis. Stat. ch. 11 or hospitality extended for a purpose unrelated to City business by a person other than an organization.

*Public employee* means any person excluded from the definition of a public officer who is employed by the City of La Crosse.

*Public officer* means all City officers as defined in Wis. Stat. § 62.09 and all members of Boards, Commissions and Agencies established or appointed by the Mayor or Common Council, whether paid or unpaid.

(Code 1980, § 2.48(A))

**Cross reference—** Definitions and rules of construction, § 1-2.

### Sec. 2-127. - Declaration of policy.

It is declared that high moral and ethical standards among City officers and employees are essential to the conduct of good representative government and that a Code of Ethics for the guidance of Public officers and employees will help them avoid conflicts with improved standards of public service and will promote and strengthen the confidence of the residents of this City in their public officers and employees.

(Code 1980, § 2.48(B))

### Sec. 2-128. - Distribution of division.

- (a) The City Clerk shall cause to be distributed to each public officer and employee a copy of this division before entering upon the duties of the public officer or employee's office or employment.

- (b) Each public officer, the President of the Common Council, the Chair of each board, commission or agency and the head of each department shall, between January 1 and January 31 each year, review the provisions of this division and with fellow Council, board, commission, agency members or subordinates, as the case may be, and certify to the City Clerk by February 15 that such annual review had been undertaken. A copy of this division shall be continuously posted on each department bulletin board wherever situated.

(Code 1980, § 2.48(F))

Sec. 2-129. - Ethics Board.

(a) *Membership.*

- (1) The Ethics Board shall be composed of five voting members. The members shall be citizens chosen from the private sector who shall not have an affiliation with City government in any capacity. The members shall be appointed by the Mayor with the approval of the majority vote of the City Council.

- (2) Terms of office of the citizen members shall be three years.

(b) *Officers and staff.*

- (1) The Ethics Board shall have its own Chair and Vice-Chair.

- (2) The City Attorney shall furnish the Ethics Board whatever legal assistance, which may become necessary. The Ethics Board may determine the need for private counsel.

- (c) *Advisory opinions.* Any person governed by this Code may apply in writing to the Ethics Board for an advisory opinion. Applicants shall present their interpretation of the facts at issue and of the applicability of the provision of this Code before the advisory opinion is rendered. All opinions shall be in writing and adopted by the Ethics Board by resolution. The Ethics Board's deliberations and action upon such applications shall be in meetings not open to the public, but notice of such meetings shall be given pursuant to Wis. Stat. § 19.84, Record of the Ethics Board opinions, opinion request and investigations of violations may be closed to public inspection, as permitted by Wis. Stat. ch. 19. The Ethics Board, however, may make such records public with the consent of the applicant.

(Code 1980, § 2.48(G)(1), (G)(2))

**Cross reference—** Boards and commissions, ch. 2, art. X.

Sec. 2-130. - Violations and complaints.

- (a) The City Clerk shall accept from any person, except a member of the Ethics Board, a signed original complaint that states the name of the official or employee alleged to have violated this Code and that sets forth the material facts involved in the allegation. The City Clerk shall forward

the original complaint to the Ethics Board Chair within three working days.

- (b) Time limitations. No action may be taken on any complaint that is filed more than one year after a violation of this division is alleged to have occurred.
- (c) Ethics Board procedures. Following the receipt of a complaint:
  - (1) The Ethics Board shall notify the accused within ten calendar days.
  - (2) The Ethics Board shall convene within 20 calendar days.
  - (3) The Ethics Board may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused official or employee is notified in writing within ten calendar days from the initial meeting. The notice shall state the purpose of the investigation and the individual's specific action or activities to be investigated.
  - (4) The Ethics Board shall make every effort to conclude within 120 calendar days.
- (d) Hearings. If the Ethics Board finds that probable cause exists for believing the allegations of the complaint, the Ethics Board may issue an order setting a date for a hearing. If the Ethics Board elects to hold a hearing, the Ethics Board shall give the accused at least 20 calendar days' notice of the hearing date. Such hearing shall be conducted pursuant to the contested case hearing requirements of Wis. Stat. ch. 227 at open session unless the accused petitions for a hearing closed to the public and good cause to close the hearing is shown.
- (e) Right of representation. During all stages of an investigation or proceeding conducted under this section, the accused or any person whose activities are under investigation is entitled to be represented by counsel of personal choice and at personal expense.
- (f) Due process. The accused or the accused's representative shall have an adequate opportunity to:
  - (1) Examine all documents and records to be used at the hearing within a reasonable time before the date of the hearing as well as during the hearing;
  - (2) Have witnesses heard;
  - (3) Establish all pertinent facts and circumstances; and
  - (4) Question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.
- (g) Power to subpoena and administer oaths. The Ethics Board shall have the power to administer oaths and compel the attendance of witnesses by issuing subpoenas as granted other boards and commissions.
- (h) Vote of the Ethics Board. The majority vote of the Ethics Board shall be required for any action taken by the Ethics Board.
- (i) Evidentiary standard. If the recommendation is that a violation of this division has occurred, the Ethics Board must be convinced by clear and convincing evidence that such violation occurred.

(j) Violations.

- (1) If the Ethics Board finds that a violation of this division has occurred, the Ethics Board shall report their findings in writing to the City Council, complainant, and accused, through the City Clerk, within ten working days after reaching a conclusion.
- (2) If the Ethics Board determines that an official or employee has violated any provision of this Code, the Ethics Board may, as part of its report to the City Council, make any of the following recommendations:
  - a. In case of an official who is an elected City Council Member, that City Council considers sanctioning, censuring or removing the person.
  - b. In the case of a citizen member or other elected or appointed City officer, that the City Council consider removing the person from the committee, board or office.
  - c. In the case of an employee, that the employee's appointing authority consider discipline up to and including discharge of the employee.
  - d. That the City Council consider imposing a civil forfeiture in an amount not exceeding \$1,000.00 for each offense.
- (3) If the Ethics Board finds that no violation has occurred, the Ethics Board shall notify the complainant, the accused, and City Clerk in writing within five working days.

(k) Penalties.

- (1) If the Ethics Board files a report with the City Council finding that an official or employee has violated the Ethics Code, such report shall be referred to the Judiciary and Administration Committee for a report. The Judiciary and Administration Committee may recommend to the City Council a penalty for the violation and/or recommendation that a hearing be held on the issue of the penalty. If a hearing is recommended by the Judiciary and Administration Committee, then the Mayor shall schedule a hearing before the City Council and cause notice to be mailed to the interested parties, including the person accused of the violation at least ten days prior to the date set for the hearing. At the hearing, the evidence in support of the penalty recommendations by the Ethics Board and/or Judiciary and Administration Committee shall be presented by the City Attorney or by a member of the City Attorney's staff. The accused, who may appear in person or who may be represented by an attorney, shall be entitled to present the City Council such evidence as may be relevant, competent and material in regard to the penalty for the violation.
- (2) Upon completion of the hearing or other proceeding by the City Council, judgment shall be entered by the City Council determining the penalty for violation of this division found by the Ethics Board and may include a recommendation of discipline of the person to the person's appointing authority up to and including discharge from employment or removal from office, in accordance with Wis. Stat. Ch. 17.

(3) Any person violating this division may be subject to a Class A forfeiture for each offense.

(Code 1980, § 2.48(G)(3)—(G)(12))

**Cross reference—** Class A forfeitures, § 1-7.

Sec. 2-131. - Standards of conduct.

(a) There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics.

(b) Accordingly, the provisions of the following sections of the Wisconsin Statutes are made a part of this division and shall apply to public officers and public employees whenever applicable, to-wit:

Wis. Stat. § 946.10 - Bribery of Public Officers and Employees

Wis. Stat. § 946.11 - Special Privileges from Public Utilities

Wis. Stat. § 946.12 - Misconduct in Public Office

Wis. Stat. § 946.13 - Private Interest in Public Contract Prohibited

(Code 1980, § 2.48(C))

Sec. 2-132. - Disclosures.

In addition to the foregoing statutory provisions, the following disclosure and related requirements are hereby established:

- (1) *Disclosure of interest in legislation.* To the extent that a member of the Common Council and any public officer or employee of the City of La Crosse knows thereof, such member, officer or employee, whether paid or unpaid, who participates in the discussion or gives official opinion to the Council on any legislation before the Council, shall publicly disclose the nature and extent of any direct or indirect financial or other private interest such person has in such legislation.
- (2) *Disclosure of interest in other matters.* To the extent that a member of a board, commission or agency, and any other public officer or public employee of the City of La Crosse knows thereof, such member, officer or employee, whether paid or unpaid, who participates in discussion or gives official opinion to any such board, commission or agency on any matter before it, shall publicly disclose the nature and extent of any direct or indirect financial or other private interest such person has in such matters.
- (3) *Confidential information.* No public officer or employee may intentionally use or disclose information gained in the course of or by reason of such public officer or employee's official position or activities in any way that could result in receipt of anything of value for such



person, or such person's immediate family as defined by Wis. Stat. § 19.42, or for any other person or organization, if the information has not been communicated to the public or is not public information.

- (4) *Special privileges.* No public officer or employee may use or attempt to use any public position to influence or gain unlawful benefits, advantages or privileges for the public officer or employee or others.
- (5) *Conduct after termination of employment.* No public officer or employee, after the termination of service or employment with the City, shall appear before any Board or Agency of the City of La Crosse in relation to any case, proceeding or application in which the public officer or employee personally participated during the period of service or employment, or which was under the public officer or employee's active consideration.

(Code 1980, § 2.48(D))

Sec. 2-133. - Gifts and gratuities.

- (a) No public officer or employee shall receive or offer to receive, either directly or indirectly, any gift, gratuity, or anything of value which the public officer or employee is not authorized to receive from any person, if such person:
  - (1) Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official;
  - (2) Conducts operations or activities which are regulated by such public employee's employer or the governmental body of a public official; or
  - (3) Has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.

The receipt of any gift, gratuity, or anything of value as denoted in this subsection (a) is contrary to the public policy of the City of La Crosse.

- (b) The following is the policy to be followed in determining whether or not public officer or employees of the City of La Crosse may attend as a guest:
  - (1) It will be the choice of the official or employee to accept or not accept guest status when such individual is the primary speaker or on the program agenda as a participant in the program.
  - (2) It will be the choice of the official or employee to accept or not accept guest status when such individual is honored for distinguished service.
  - (3) It will be the choice of the official or employee to accept or not accept guest status when such individual attends functions in other capacities than that as an elected official or as an employee of the City.
  - (4)

It will be the choice of the official or employee to accept or not accept a meal at meetings which are instructional and job-related and, if the employee or official chooses to accept a meal, the cost of such should be submitted to the City of La Crosse for payment.

(Code 1980, § 2.48(E))

Secs. 2-134—2-164. - Reserved.



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

**File Number: 26-0085**

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**Agenda Date:** 2/12/2026

**Version:** 1

**Status:** New Business

**In Control:** Judiciary & Administration Committee

**File Type:** Ordinance

**Agenda Number:** 3.

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from the Commercial District to the Planned Development District - Specific, allowing for a mix of uses including commercial, retail, and office spaces, a recycling facility, and future construction of approximately five apartment units and a building for a retail or food establishment at 4329 East Avenue S. and 4342, 4344, 4348, and 4354 Mormon Coulee Rd.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Subsection 115-110 of the Code of Ordinances of the City of La Crosse is hereby amended by transferring certain property from the Commercial District to the Planned Development District - Specific on the Master Zoning Map, to-wit:

*Tax Parcel 17-50323-500; 4329 East Avenue S. and 4342, 4344, 4348, & 4354 Mormon Coulee Rd.*

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION III: This ordinance shall take effect and be in force from and after its passage and publication.

\_\_\_\_\_  
Shaundel Washington-Spivey, Mayor

\_\_\_\_\_  
Nikki M. Elsen, City Clerk

Passed:  
Approved:  
Published:

PETITION FOR CHANGE TO ZONING  
CITY OF LA CROSSE

AMENDMENT OF ZONING DISTRICT BOUNDARIES  
For a Planned Development District or  
Traditional Neighborhood District

Petitioner (name and address):

Shelby Mall South LLC (updated LLC) 2809 Losey Blvd, La Crosse WI 54601

Owner of site (name and address):

Allan McCormick 2809 Losey Blvd, La Crosse WI 54601

Address of subject premises:

4329 East Ave South, La Crosse, WI 54601

Tax Parcel No.: 17-50323-500

Legal Description (must be a recordable legal description; see Requirements):

See Attached

PDD/TND: ☐ General ☒ Specific ☐ General & Specific

Zoning District Classification: C2-Commercial District

Proposed Zoning Classification: Planned Development District - Specific

Is the property located in a floodway/floodplain zoning district? ☐ Yes ☒ No

Is the property/structure listed on the local register of historic places? ☐ Yes ☒ No

Is the Rezoning consistent with Future Land Use Map of the Comprehensive Plan? ☒ Yes ☐ No

Is the consistent with the policies of the Comprehensive Plan? ☒ Yes ☐ No

Property is Presently Used For:

Vacant

Property is Proposed to be Used For:

Mattress Recycling / Commercial / Retail

Proposed Rezoning is Necessary Because (Detailed Answer):

Mattress recycling is categorized as heavy industrial

Proposed Rezoning will not be Detrimental to the Neighborhood or Public Welfare Because (Detailed Answer):

See Attached - 1A

Proposed Rezoning will not be Detrimental to the City's Long Range Comprehensive Plan Goals, Objectives, Actions and Policies Because (Detailed Answer):

**See Attached - 1B**

*The undersigned depose and state that I/we am/are the owner of the property involved in this petition and that said property was purchased by me/us on the 11th day of*

November \_\_\_\_\_, 2022.

I hereby certify that I am the owner or authorized agent of the owner (include affidavit signed by owner) and that I have read and understand the content of this petition and that the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.



(signature)

1-507-313-3230

(telephone)

01/14/2026

(date)

allanmccormick@hotmail.com

(email)

At least 30 days prior to filing the petition for approval of the designation of a Planned Development District, the owner or his agent making such petition shall meet with the Planning Department, Engineering Department and Building Safety to discuss the scope and proposed nature of the contemplated development. (Pursuant sec. 115-156(3)(e)(1) of the Municipal Code of Ordinances of the City of La Crosse.)

PETITIONER SHALL, BEFORE FILING, HAVE PETITION REVIEWED AND INFORMATION VERIFIED BY THE DIRECTOR OF PLANNING & DEVELOPMENT.

Review was made on the 21<sup>st</sup> day of January, 2026

Signed: 

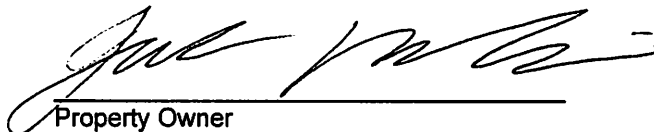
\_\_\_\_\_  
Director of Planning & Development

AFFIDAVIT

STATE OF WISCONSIN )  
COUNTY OF LACROSSE ) ss

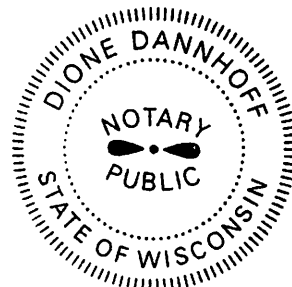
The undersigned, JACK MCCORMICK, being duly sworn states:

1. That the undersigned is an adult resident of the City of LA CRESCENT, State of MINNESOTA.
2. That the undersigned is (one of the) legal owner(s) of the property located at 4344 MORRISON COULEE DR., LA CROSSE, WI 54601
3. By signing this affidavit, the undersigned authorizes the application for a conditional use permit/district change or amendment (circle one) for said property.

  
Property Owner

Subscribed and sworn to before me this 14TH day of JANUARY, 2026

  
Notary Public  
My Commission expires 10-16-2029





In addition, we plan to construct a 3,000 square foot building along South Avenue, adjacent to the existing Wendy's restaurant, to accommodate a retail or food-service establishment. {See attached map highlighted in YELLOW}

Responses to items #1-18 in 115-156(e)(2)(c)- Specific Comprehensive Development Plan (Pg. 4-5 in attached)

1. *"A plat plan including all information required for a preliminary plat and applicable provision of Wis. Stat. ch. 236, together with areas to be reserved for vehicular and pedestrian traffic, utilities, parking, public uses and easements. For commercial, industrial, public or semi-public, or mixed use developments, a detailed site plan showing the dimensions and locations of all proposed structures, areas to be reserved for vehicular and pedestrian traffic, utilities, parking, public uses and easements."*
  - a. Response : Attached with this packet.
2. *"A legal description of the boundaries of lands included in the proposed Planned Development District."*
  - a. Response : Attached with this packet.
3. *"A description of the relationship between the lands included in the proposed Planned Development District and surrounding properties."*
  - a. Response : The proposed recycling processing facility is located entirely within the rear portion of the existing building, minimizing interaction with customer-facing frontages. Future residential and out lot uses are conceptual.
4. *"The location of public and private roads, driveways and parking facilities"*
  - a. Response : No change from existing infrastructure Future residential and out lot uses are conceptual.
5. *"The size, arrangement and location of any individual building sites and proposed building groups on each individual lot (not applicable to single-family attached or detached residential projects)."*
  - a. Response : Apartments may be developed on the property in the future, however, there are no current blueprints or timeframes for such development at this time.
6. *"The location of institutional, recreational and open space areas, common areas and areas reserved or dedicated for public uses, including schools, parks and drainageways."*
  - a. Response : Not included in proposed site.
7. *"The type, size and location of all temporary advertising signs and permanent entrance features or signs."*
  - a. Response : No change from existing site.
8. *"Detailed landscaping plans including plant listings."*
  - a. Response : No change from existing site.
9. *"Final architectural plans, elevations and drawings and sketches illustrating the design and character of proposed structures (not applicable to single-family attached or detached residential projects)."*



- a. Response : Apartments may be developed on the property in the future, however, there are no current blueprints or timeframes for such development at this time.
- 10. "The existing and proposed location of public sanitary sewer, water supply facilities and stormwater drainage facilities in the form of engineering plans."
  - a. Response : No change from existing infrastructure.
- 11. "The existing and proposed location of all private utilities or other easements."
  - a. Response : No change from existing infrastructure
- 12. "Characteristics of soils related to contemplated specific uses."
  - a. Response : No change from existing site.
- 13. "Existing topography on-site with contours at no greater than two-foot intervals City Datum."
  - a. Response : Topography is attached, but not in 2 foot intervals.
- 14. "Provide for anticipated uses of adjoining lands, whether owned by the developer or not, in regard to roads, surface water drainage, utilities, and compatibility with existing adjacent land uses."
  - a. Response : No change from existing infrastructure. Future residential and out lot uses are conceptual.
- 15. "If the development is to be staged, a staging plan describing each stage of the development and how it will function by itself and the relationship to other development stages/units within the district or on adjacent property."
  - a. Response :
    - i. Phase 1: Adaptive reuse of existing rear building area for mattress recycling.
    - i. Future phases: Potential residential buildings and retail/restaurant outlot, subject to separate approval.
- 16. "All restrictive covenants."
  - a. Response : N/A
- 17. "Proposed erosion control plan and final grading plan in conformance with article II of chapter 105."
  - a. Response : Not applicable. No site disturbance is proposed.
- 18. "All conditions agreed to by the applicant which are not included in the written documentation required under subsection (2)c.1 through 12 of this section shall be part of the development plan."
  - a. Response :
    - i. Mattress recycling operations shall be conducted entirely indoors.
    - ii. No outside storage of materials, mattresses, or equipment.
    - iii. All dumpsters and refuse areas shall be fully screened.

Responses to item #2 in 115-156(e)(2)(d)

- i. "The approximate retail sales floor area and total area proposed for commercial development."

- a. Response : The recycling processing facility will occupy approximately 29,140 sq. ft. of the existing building. No retail sales floor area is proposed.
- ii. "The types of uses proposed to be included in the development, which uses shall be consistent with the commercial zoning district."
  - a. Response :
    - i. Primary immediate use: Indoor mattress recycling (recycling processing facility.)
    - ii. Conceptual future uses: Residential apartment buildings and a standalone restaurant out lot.
- iii. "The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs, and nuisance controls intended for the development."
  - a. Response :
    - i. Height/Open space/Landscaping: No changes proposed at this time.
    - ii. Circulation/Parking/Loading: Existing conditions will be utilized.
    - iii. Signs: No new signage proposed.
    - iv. Nuisance controls: Indoor operations only; no outside storage; screened dumpsters; no anticipated offensive noise, vibration, dust, odor, heat, or glare.

We believe this request represents a responsible and beneficial use of the property and will contribute positively to the character, functionality, and vitality of the surrounding area. The proposed Planned Development will be designed to meet or exceed applicable City requirements while providing long-term value to both the community and the municipality.

We appreciate the City Council's time and consideration of this petition. We welcome the opportunity to answer any questions, provide additional information, or discuss the proposed development in greater detail.

Respectfully submitted,

Shelby Mall South LLC

### **Description of Property**

Part of the West half of the Southeast quarter (W 1/2-SE 1/4) of Section 16, Township 15 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin, described as follows: Commencing at the Northwest corner of Joseph Boscher's Suburban Addition to the Town of Shelby, a La Crosse County survey marker; thence North 89° 54' 40" East 774.44 feet along the North line of Shelby Road to a 2-inch iron pipe in the concrete on the East line of Bank Drive and the point of beginning of this description; thence North 00° 05' 20" West 52.19 feet along said East line to a 2-inch iron pipe in the concrete; thence North 21° 02' 40" West 302.42 feet along said East line to a 2-inch iron pipe in the concrete; thence continue along said East line 52.40 feet along the arc of a curve, concave to the Southwest, whose radius is 1393.31 feet and whose chord bears North 22° 07' 18" West 52.40 feet to a 1-1/4 inch iron pipe; thence North 51° 55' 27" East 250.0 feet to a 1-1/4 inch iron pipe; thence North 38° 16' 25" West 113.42 feet to a 1-1/4 inch iron pipe; thence North 51° 43' 35" East 315.71 feet to a 1-1/4 inch iron pipe on the Westerly line of USH #14- 61; thence South 38° 16' 25" East 471.97 feet along said Westerly line to a 1-1/4 inch iron pipe in the centerline of vacated Markle Road; thence South 01° 35' 23" West 331.49 feet along said centerline to a 1-1/4 inch iron pipe on the North line of Shelby Road; thence South 47° 23' 40" West 137.26 feet along said North line to 2-inch iron pipe in concrete; thence continue along said North line 74.21 feet along the arc of a curve, concave to the Northwest, whose radius is 100.0 feet and whose chord bears South 68° 39' 10" West 72.51 feet to a 2-inch iron pipe in the concrete; thence South 89° 54' 40" West 360.57 feet along said North line to the point of beginning.

EXCEPT the following described parcel: Part of Certified Survey Map #100, Doc. #1385583, filed in Volume 11 of La Crosse County Certified Survey Maps, Page 100, City of La Crosse, La Crosse County, Wisconsin, described as follows: Commencing at the North quarter corner of Section 16; thence South 01° 23' 58" West 2624.79 feet to the center quarter corner of said Section 16; thence South 29° 47' 07" East 2539.75 feet to the Southwesterly right of way line of Mormon Coulee Road; thence South 01° 33' 58" West 81.38 feet to the point of beginning of this EXCEPTION; thence South 01° 33' 58" West 250.23 feet to the Northerly right of way line of Shelby Road; thence along said right of way line South 47° 19' 52" West 46.19 feet; thence North 38° 16' 16" West 193.43 feet; thence North 51° 06' 10" East 206.36 feet to the point of beginning of this EXCEPTION.

Together with the non-exclusive easements created in cross-easement, first refusal and party wall agreement, recorded in volume 602, page 489, #877847; as amended by documents recorded in volume 621, page 421, #891186; volume 663, page 611, #918980; document no. 1383573 and document no. 1384271.

- 1A

Proposed rezoning will not be detrimental to the neighborhood or public welfare because...

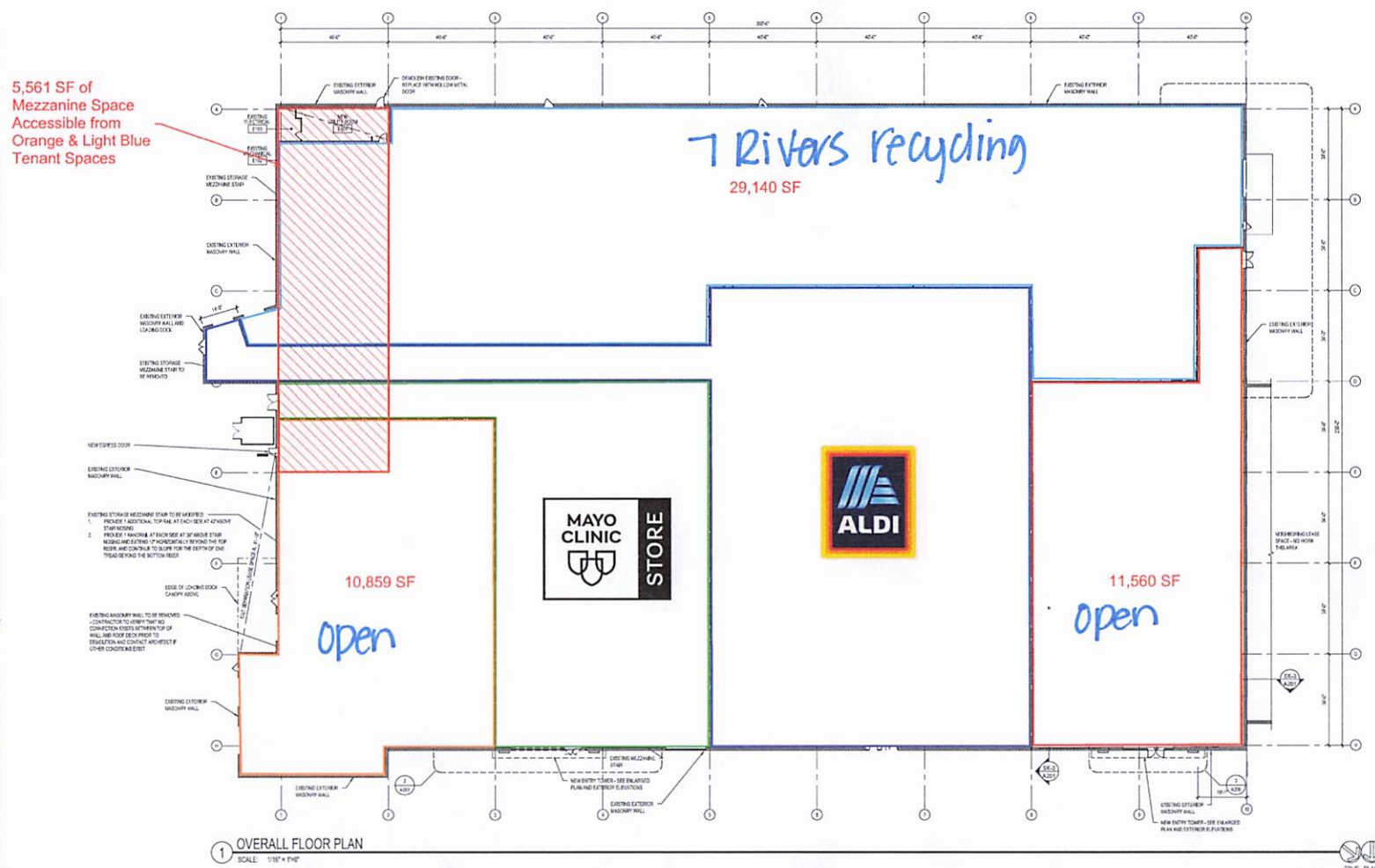
- With the amount of usable, open space within the property, 7 Rivers Recycling will be able to safely house all operations within the roofed floor plan. With a dock door on the south end, material can funnel in and out via trailers & with a large overhead door to the north, generated material from operations can be placed in containers spotted inside the facility. With this said, nothing will necessarily need to be staged outside. To help protect the facility, staff and surrounding area, the facility will be upgraded with a larger sprinkler system and egress approved by a local contractor. Operations will not increase traffic or noise beyond existing conditions and will comply with all applicable development standards.

- 1B

Proposed rezoning will not be detrimental to the City's long range comprehensive plan, goals, objectives because...

- The rezoning of this property to accommodate 7 Rivers Recycling's operations would not only benefit the City of La Crosse's comprehensive planning & visions but also impact La Crosse County. As observed, the City (County created something similar) finalized a municipal Climate Action Plan that directly identifies waste reduction and the growth of local sustainable programs & practices. As a small for-profit business owned and operated by local young professionals, 7 Rivers Recycling acknowledges that the City desires and appreciates area entrepreneurship. If rezoned, 7 Rivers Recycling promises to continue preaching the Triple Bottom Line Business Method → People (create jobs, especially for those that might be less fortunate), Planet (help save landfill space, reduce fire risk with landfill operations, limit transportation emissions, etc.), Profit (for-profit business).

5,561 SF of Mezzanine Space Accessible from Orange & Light Blue Tenant Spaces



# ALTA/ACSM LAND TITLE SURVEY

TOTAL AREA: 352,158 SQ. FT. - 8.08 ACRES



BASIS OF BEARINGS: IS THE SOUTH LINE OF THE SE1/4 SECTION 16 WHICH BEARS N89°50'34"E AS REFERENCED TO THE LA CROSSE COUNTY COORDINATE SYSTEM.



## LEGEND

- 3/4" x 24" IRON ROD SET (WT. = 1.5 LBS. / 13")
- CHSLED "X" IN CONC. SET
- 3/4" IRON ROD FND.
- ▲ PK NAIL FND.
- ▲ RAILROAD SPIKE FND.
- 2" IRON PIPE FND.
- CHSLED "X" IN CONCRETE FND.
- GUARD POST
- LIGHT POST
- ▲ POWER POLE
- ▲ GUY WIRE
- HANDICAP PARKING STALL
- GAS METER
- ELECTRIC BOX
- ELECTRIC METER
- ELECTRIC MANHOLE
- WATER BOX
- SPOCKET
- WALL FIRE HYDRANT
- WATER MANHOLE
- CATCH BASIN
- STORM SEWER DRAIN
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- SANITARY SEWER LINE
- STORM SEWER LINE
- WATER LINE
- OVERHEAD UTILITY LINE
- CHAINLINK FENCE
- WOOD FENCE
- INDICATES NO PARKING
- CONCRETE SURFACE

AS PREPARED BY:  
James R. Grothman  
**GA & ASSOCIATES S.C.**  
LAND SURVEYORS  
FOR THE STATE OF WISCONSIN  
DATE: FEBRUARY 13, 2015  
DWN. BY: S. STACHOWSKI  
CHKD. BY: J. GROTHMAN

THE MATTHEWS COMPANY

17220 Hawthorne Drive, Suite 100-110, Rancho Viejo, CA 92708  
Tel: (714) 979-1811 Fax: (714) 641-3840  
www.themathewscorp.com

MARK DATE REVISION BY APV

Spirit Realty Capital, Inc.

4344 Mormon Coulee Road  
La Crosse, WI  
(ShopKo)

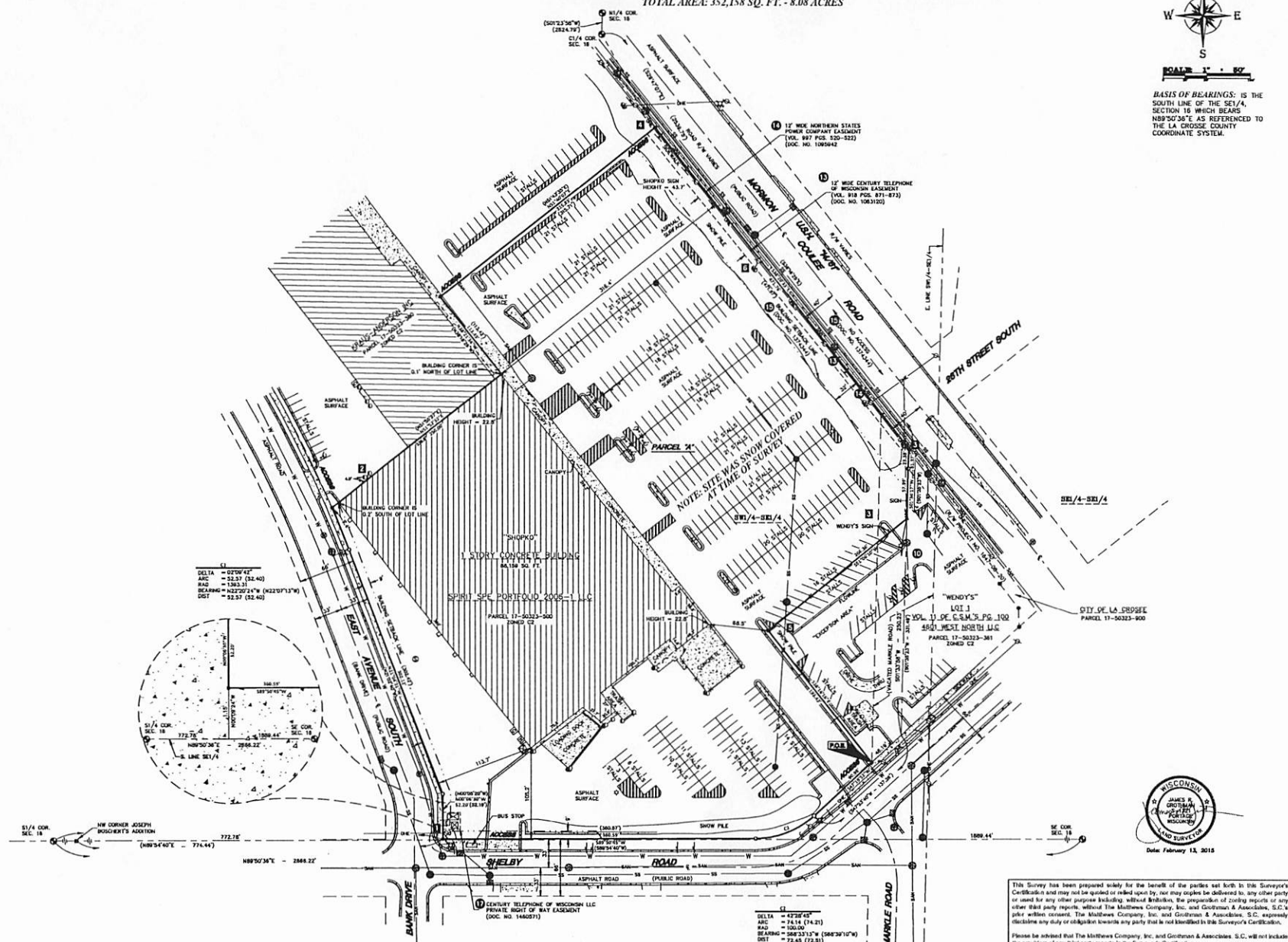
SCALE: 1" = 30' CHD/APV/D

DATE: February 13, 2015 APPROVED:

DWN. BY: S. STACHOWSKI PROPERTY ID #: P01520

CHKD. BY: J. GROTHMAN SHEET 1 OF 2

J.N.: 15-01-46-11042



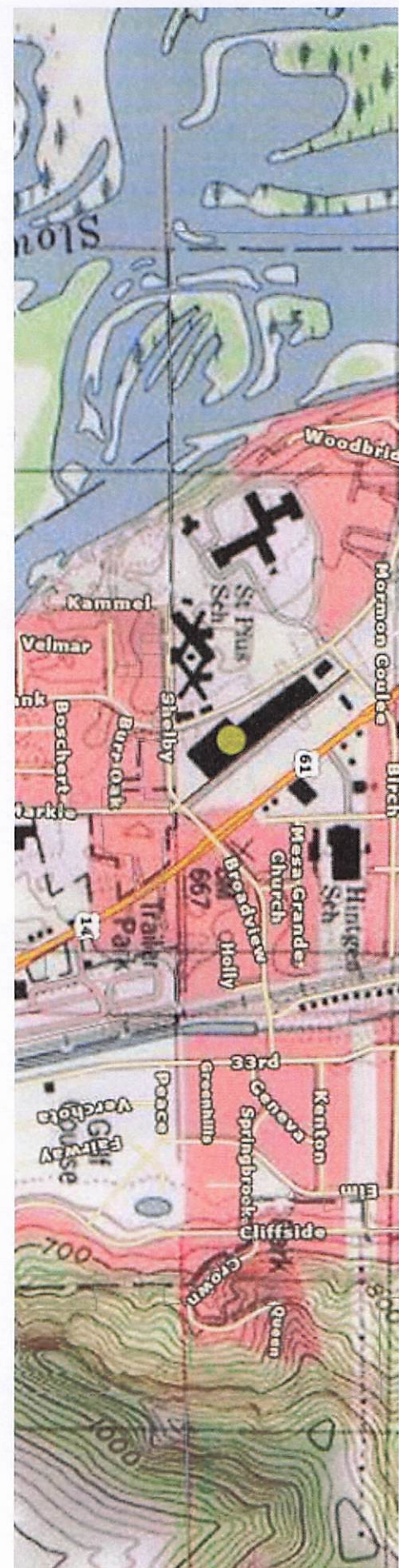
This Survey has been prepared solely for the benefit of the parties set forth in the Surveyor's Certification and may not be quoted or relied upon by, nor any copies be delivered to, any other party or used for any other purpose including, without limitation, the preparation of zoning reports or any other third party reports, without The Matthews Company, Inc. and Grothman & Associates, S.C.'s prior written consent. The Matthews Company, Inc. and Grothman & Associates, S.C. expressly disclaims any duty or obligation towards any party that is not identified in this Surveyor's Certification.



Date: February 13, 2015



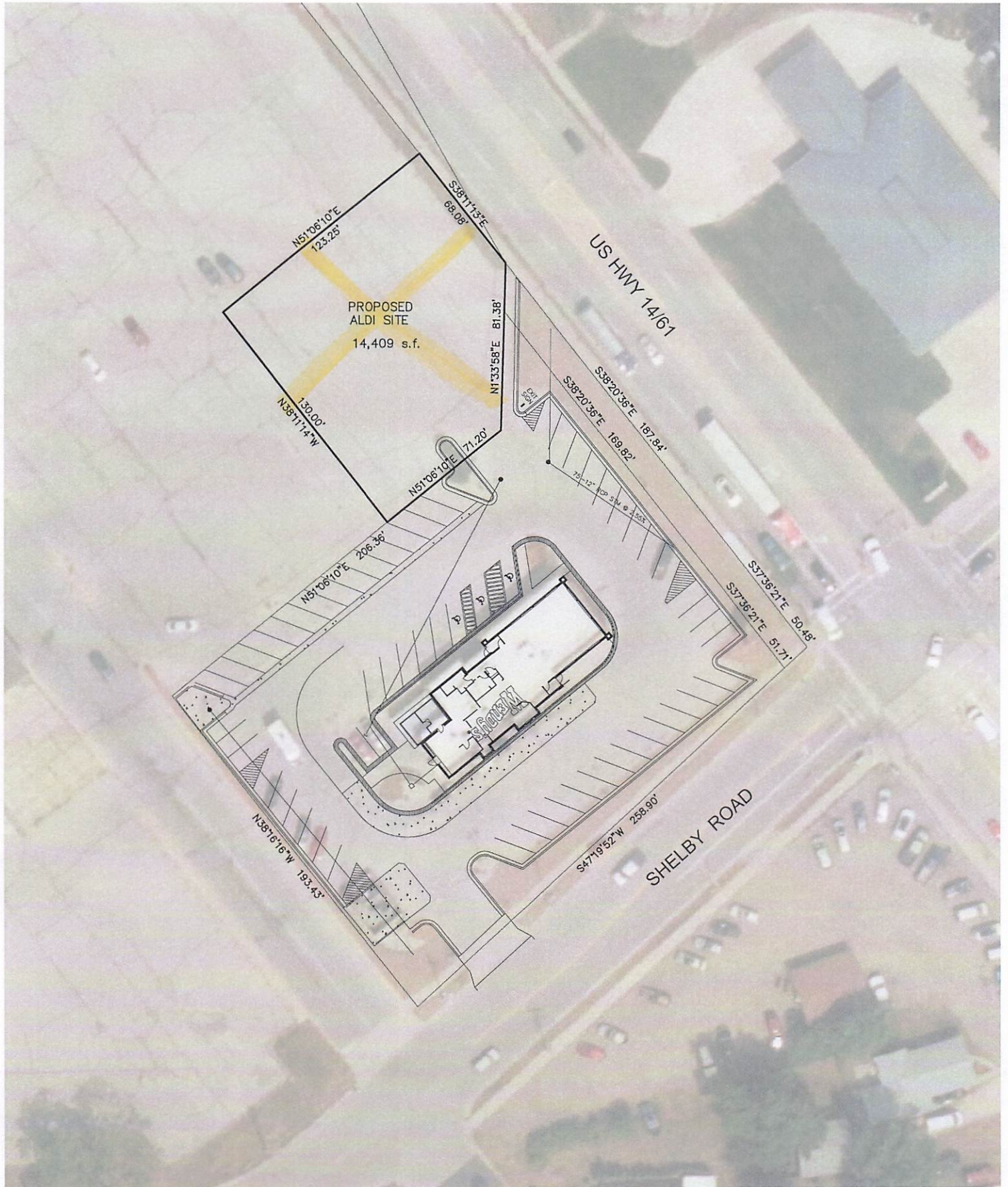














Honorable Members of the City Council,

On behalf of the property owner/applicant, we respectfully submit this letter in support of our petition to rezone the subject property from its current C-2 Commercial zoning classification to a Planned Development (PD) district.

The purpose of this request is to allow for the addition of a recycling processing facility tenant, 7 Rivers Recycling, on the subject property, to operate alongside the existing tenants, Aldi and Mayo. The Planned Development designation will allow this use to be appropriately integrated into the site through tailored development standards, ensuring compatibility with surrounding properties and existing on-site uses.

The intent of this request is to allow for a thoughtfully designed development that better aligns with the City's long-term planning objectives, surrounding land uses, and the evolving needs of the community. The Planned Development designation will provide the flexibility necessary to implement a cohesive site plan that emphasizes quality design, efficient land use, and compatibility with adjacent properties while maintaining appropriate development standards.

Rezoning to a Planned Development district will allow for:

- A coordinated and unified development plan that considers site-specific conditions;
- Improved integration of building layout, circulation, open space, and landscaping;
- Enhanced compatibility with neighboring uses through tailored development standards;
- and
- A development approach that supports the City's comprehensive plan and economic development goals.

The proposed development for 7 Rivers Recycling only will include no outside storage, and all dumpsters and refuse areas serving 7 Rivers Recycling will be fully screened in accordance with City requirements. Additionally, operations associated with 7 Rivers Recycling are not anticipated to increase noise levels or traffic volumes beyond existing conditions. All development and operations related to 7 Rivers Recycling will comply with all applicable City development standards, ordinances, and regulations.

The current building will consist of two more retail spaces designed to align with existing spaces noted on the following map oriented towards the northeast. Should a future tenant located on the southeast corner of the building require additional parking to meet operational needs, we propose the construction of approximately five apartment units on the southeast portion of the property along Shelby Road. This potential development would be intended to address parking requirements while maintaining compatibility with surrounding uses. {See attached map highlighted in RED}

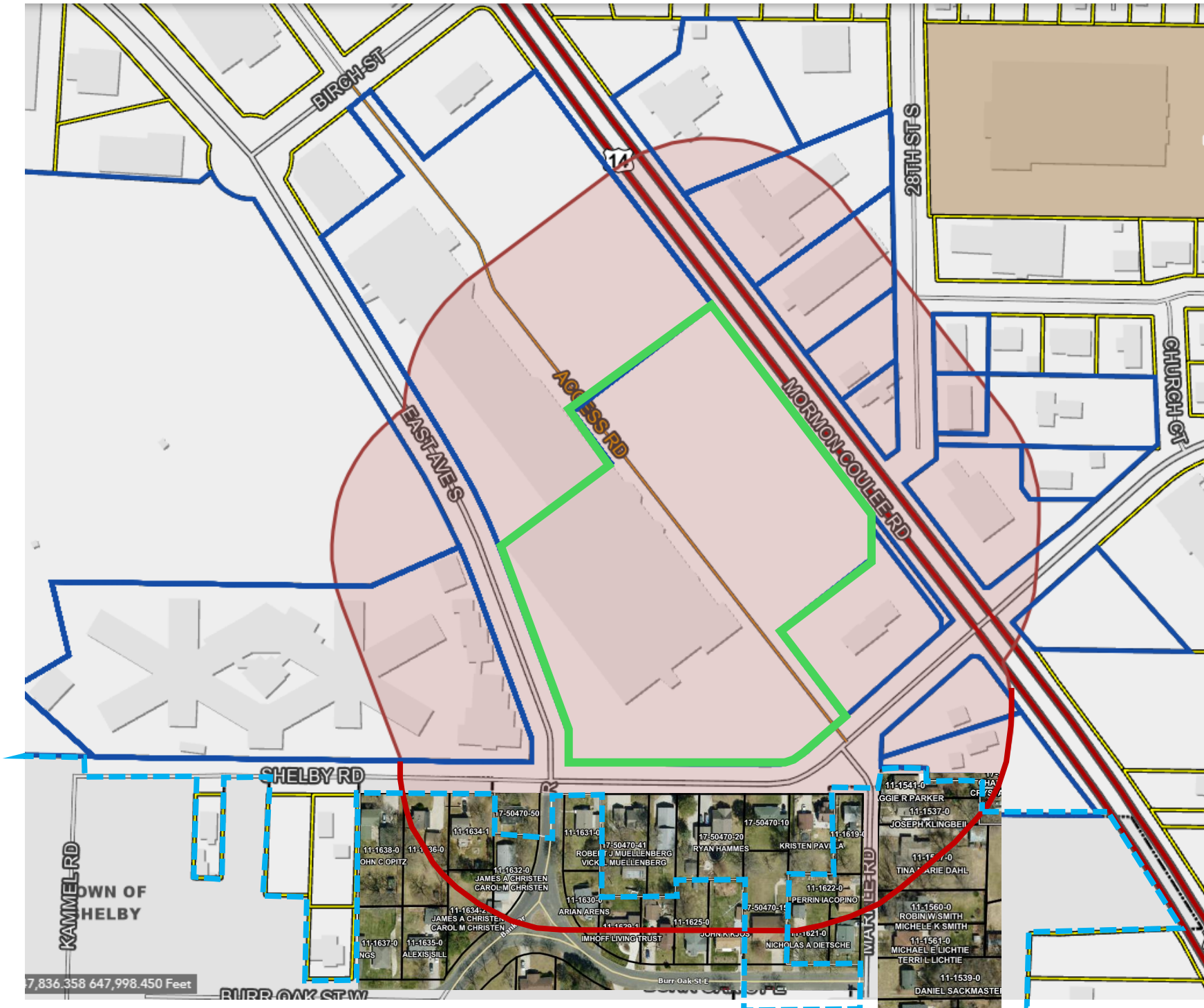
Tax Parcel	OwnerName	Property Address	Mailing Address	MailCityStateZip	Municipality
11-1537-0	JOSEPH KLINGBEIL	4005 MARKLE RD	N3471 SMITH VALLEY RD	LA CROSSE WI 54601	Shelby
11-1541-0	MAGGIE PARKER	4001 MARKLE RD	4001 MARKLE RD	LA CROSSE WI 54601	Shelby
11-1547-0	TINA MARIE DAHL	4009 MARKLE RD	4009 MARKLE RD	LA CROSSE WI 54601	Shelby
11-1560-0	ROBIN W SMITH, MICHELE K SMITH	4011 MARKLE RD	4011 MARKLE RD	LA CROSSE WI 54601	Shelby
11-1618-0	SAMUEL C CHENOWETH, SHENG CHENOWETH	4012 MARKLE RD	4012 MARKLE RD	LA CROSSE WI 54601	Shelby
11-1619-0	GARY L TROYANEK, CONNIE L TROYANEK	2726 SHELBY RD	2726 SHELBY RD	LA CROSSE WI 54601	Shelby
11-1621-0	NICHOLAS A DIETSCHÉ	2727 BURR OAK ST E	2727 BURR OAK ST E	LA CROSSE WI 54601	Shelby
11-1622-0	PERRIN IACOPINO	4010 MARKLE RD	4010 MARKLE RD	LA CROSSE WI 54601	Shelby
11-1625-0	CHRIS HUSSEY, JULIE HUSSEY	2715 BURR OAK ST E	2715 BURR OAK ST E	LA CROSSE WI 54601	Shelby
11-1626-0	JOHN K KJOS	2723 BURR OAK ST E	2723 BURR OAK ST E	LA CROSSE WI 54601	Shelby
11-1628-1	CORY S LARSON, ANNETTE D LARSON	2709 BURR OAK ST E	2709 BURR OAK ST E	LA CROSSE WI 54601	Shelby
11-1629-1	IMHOFF LIVING TRUST	2707 BURR OAK ST E	2707 BURR OAK ST E	LA CROSSE WI 54601	Shelby
11-1630-0	ARIAN ARENS	4005 BANK DR	4005 BANK DR	LA CROSSE WI 54601	Shelby
11-1631-0	BENJAMIN W SILHA, LEAH S KRAMER	4003 BANK DR	4005 BANK DR	LA CROSSE WI 54601	Shelby
11-1632-0	JAMES A CHRISTEN, CAROL M CHRISTEN	4004 BANK DR	4004 BANK DR	LA CROSSE WI 54601	Shelby
11-1634-1	DANIEL C NEUMANN, KRISTINA M NEUMANN	2614 SHELBY RD	2614 SHELBY RD	LA CROSSE WI 54601	Shelby
11-1634-2	JAMES A CHRISTEN, CAROL M CHRISTEN	BANK DR	4004 BANK DR	LA CROSSE WI 54601	Shelby
11-1636-0	STEPHEN P BECKER	2612 SHELBY RD	2612 SHELBY RD	LA CROSSE WI 54601	Shelby
11-1638-0	JOHN C OPITZ	2610 SHELBY RD	2610 SHELBY RD	LA CROSSE WI 54601	Shelby
17-50159-10	PHILLIP A DOERING, HEIDI J WIEGREFE	3705 28TH ST S	3705 28TH ST S	LA CROSSE WI 54601-7926	La Crosse
17-50159-50	BENJAMIN J SALASKI, KORINDA F SALASKI	3723 28TH ST S	3723 28TH ST S	LA CROSSE WI 54601-7926	La Crosse
17-50159-60	MARK L SERVAIS, FRANCINE SERVAIS	3715 28TH ST S	3715 28TH ST S	LA CROSSE WI 54601-7926	La Crosse
17-50314-40	SCHAMS RENTAL LLC	2825 BROADVIEW PL	2325 KRAUSE RD	ONALASKA WI 54650	La Crosse
17-50314-45	RIVER BANK	4401 MORMON COULEE RD	4401 MORMON COULEE RD	LA CROSSE WI 54601	La Crosse
17-50323-340	DENNIS H JANDT JOINT REVOCABLE TRUST, CLAIRE E JANDT JOINT REVOCABLE TRUST	4239 & 4241 MORMON COULEE RD	215 COUNTRY CLUB CT	LA CROSSE WI 54601	La Crosse
17-50323-361	4601 WEST NORTH LLC	4422 MORMON COULEE RD	3309 COLLINS LN	LOUISVILLE KY 40245-1629	La Crosse
17-50323-370	CRYSTAL M KUHNKE, CHAD KUHNKE	4430 MORMON COULEE RD	E723 MALIN RD	GENOA WI 54632	La Crosse
17-50323-371	CHAD R KUHNKE, CRYSTAL M KUHNKE	4448 MORMON COULEE RD	E723 MALIN RD	GENOA WI 54632	La Crosse
17-50323-380	KRAUS-ANDERSON INC	4242, 4252, 4254, 4300, 4304, 4308, 4312, 4320, 4322, 4324, 4326, 4328, 4336, 4338, 4340 MORMON COULEE RD	501 8TH ST S	MINNEAPOLIS MN 55404	La Crosse
17-50323-610	DIOCESE OF LACROSSE	3710 EAST AVE S	3710 EAST AVE S	LA CROSSE WI 54601-7215	La Crosse
17-50323-800	BETHANY ST JOSEPH CORP	2501, 2525, 2527 SHELBY RD	2501 SHELBY RD	LA CROSSE WI 54601-8037	La Crosse
17-50323-900	CITY OF LACROSSE	3900 EAST AVE S	400 LA CROSSE ST	LA CROSSE WI 54601	La Crosse
17-50327-10	BETHANY ST JOSEPH CORP	MORMON COULEE RD	2501 SHELBY RD	LA CROSSE WI 54601-8037	La Crosse
17-50327-20	OXFORD LANE INC	3600 28TH ST S	201 MAIN ST STE 510	LA CROSSE WI 54601	La Crosse
17-50327-30	YORK FERNS LLC	4329 MORMON COULEE RD	4329 MORMON COULEE RD STE 5	LA CROSSE WI 54601	La Crosse
17-50327-40	BROOKS B KVALHEIM, ANGELA E KVALHEIM ELVERA MYHRE (LE), KAY BUROS, RITA HUISS,	4349 MORMON COULEE RD	4349 MORMON COULEE RD	LA CROSSE WI 54601	La Crosse
17-50470-10	ALICIA PENCHI TRUST, ANITA SCHNEIDER	2718 SHELBY RD	2718 SHELBY RD	LA CROSSE WI 54601-8042	La Crosse
17-50470-15	TODD M STRITTMATER, CAROLE R STRITTMATER, PAMELA STRITTMATER	2725 BURR OAK ST E	1220 MARKET ST	LA CROSSE WI 54601	La Crosse
17-50470-20	RYAN HAMMES	2714 SHELBY RD	2714 SHELBY RD	LA CROSSE WI 54601	La Crosse
17-50470-30	RYAN HAMMES	2712 SHELBY RD	2714 SHELBY RD	LA CROSSE WI 54601	La Crosse
17-50470-41	ROBERT J MUELLENBERG, VICKI L MUELLENBERG	2706 SHELBY RD	2706 SHELBY RD	LA CROSSE WI 54601-8042	La Crosse
17-50470-42	DAVID M SNYDER, JULIE A SNYDER	2708 & 2710 SHELBY RD	W5898 RIM OF THE CITY RD	LA CROSSE WI 54601	La Crosse
17-50470-50	LYNN J NETWALL	2616 SHELBY RD	2616 SHELBY RD	LA CROSSE WI 54601-8041	La Crosse
17-50470-80	KRISTEN PAVELA	2722 SHELBY RD	2722 SHELBY RD	LA CROSSE WI 54601-8042	La Crosse
17-50595-11	BALTIC AVENUE INVESTMENTS OF LACROSSE LLC		64 MCINTOSH RD E	LA CRESCENT MN 55947	La Crosse

Properties above are within 300 feet of 17-50323-500 (4329 East Ave S & 4342, 4344, 4348, 4354 Mormon Coulee Rd.

Property Owner	ALLAN MCCORMICK	4329 EAST AVE S		
Applicant	SHELBY MALL SOUTH LLC	4342, 4344, 4348, 4354 MORMON COULEE RD	2809 LOSEY BLVD S	LA CROSSE WI 54601
			2809 LOSEY BLVD S	LA CROSSE WI 54601

Properties within 300 feet of 4329 East Ave S/4342, 4344, 4348, 4354 Mormon Coulee Rd.

Municipal boundary =





**NOTICE OF HEARING ON  
AMENDMENT TO ZONING RESTRICTION**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the Common Council of the City of La Crosse, by its Judiciary & Administration Committee, will hold a public hearing on a proposed ordinance change in the zoning code as follows:

**AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from the Commercial District to the Planned Development District - Specific, allowing for a mix of uses including commercial, retail, and office spaces, a recycling facility, and future construction of approximately five apartment units and a building for a retail or food establishment at 4329 East Avenue S. and 4342, 4344, 4348, and 4354 Mormon Coulee Rd.**

**Property is presently:** vacant & occupied commercial, office, & retail spaces

**Property is proposed to be:** a mix of uses including commercial, retail, and office spaces, a recycling facility, and future construction of approximately five apartment units and a building for a retail or food establishment

**Rezoning is necessary:** to allow for the mix of uses proposed

*Tax Parcel 17-50323-500; 4329 East Ave. S. and 4342, 4344, 4348, & 4354 Mormon Coulee Rd.*

The City Plan Commission will meet to consider such application on **Thursday, February 12, 2026, at 5:00 p.m.** in the Council Chambers of City Hall, 400 La Crosse St., in the City of La Crosse, La Crosse County, Wisconsin (public speaking on such application is allowed).

A public hearing before the Judiciary & Administration Committee will be held on **Thursday, February 12, 2026, at 5:30 p.m.** in the Council Chambers of City Hall, 400 La Crosse St., in the City of La Crosse, La Crosse County, Wisconsin.

Final action will be determined by the **Common Council** on **Thursday, February 12, 2026, at 6:00 p.m.** in the Council Chambers of City Hall, 400 La Crosse St., in the City of La Crosse, La Crosse County, Wisconsin.

Any person interested may appear at public hearings either in person, by agent, or by attorney, and may express their approval or objection, or file a letter in the office of the City Clerk.

The petition and/or maps relating to the above referenced amendment may be examined in the Office of the City Clerk, La Crosse City Hall, between the hours of 8:00 a.m. and 4:30 p.m. on any regular business day, holidays excepted, (by appointment) or in the Legislative Information Center which can be accessed from the City website at [www.cityoflacrosse.org](http://www.cityoflacrosse.org) (search for File 26-0085).

Dated this 26<sup>th</sup> day of January, 2026.

Nikki M. Elsen, City Clerk  
City of La Crosse

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Published: January 29 & February 5, 2026  
One (1) Affidavit