

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
September 29, 2014**

➤ **AGENDA ITEM – PC2014-09-29-07 (Lewis Kuhlman)**

AN ORDINANCE to amend Section 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to the Commercial District at 716 Hood Street allowing for small local business.

➤ **ROUTING: J&A Committee**

➤ **BACKGROUND INFORMATION:**

This ordinance would transfer the property depicted on attached **MAP PC2014-09-29-07** from the Single-Family Residential District (R1) to the Commercial District (C2). The petitioner claims he purchased the property in 1986, that it was zoned industrial, and is being used for automotive repair, machining, and woodworking which may be allowed in C2 under “General garages” (See **Exhibit 14-1074**). However, the property owner was cited for storing unlicensed vehicles outdoors and using them for parts. “[M]otor vehicles, no longer used as such, to be used for scrap metal or stripping of parts” are defined in the Municipal Code as *junk*, so this use would be a *junkyard* which is only allowed in Light Industrial (M1) or Heavy Industrial Districts (M2).

A 2013 rezoning, [Ordinance 4772](#), transferred the property from Local Business District (C1) to Single-Family Residential District (R1). The property was part of a comprehensive rezoning of the neighborhood in accordance with its Joint Neighborhood Campus Plan. It intended to “protect the single-family nature of the core neighborhood areas, help promote home ownership and neighborhood stability, and help assure current and future residents that the neighborhood will not lose its fundamental character.” The City sent every property owner a postcard inviting them to a public meeting about the proposed rezoning.

➤ **GENERAL LOCATION:**

The parcel on the south side of Hood Street, east of the alley between 7th and 8th Streets South

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

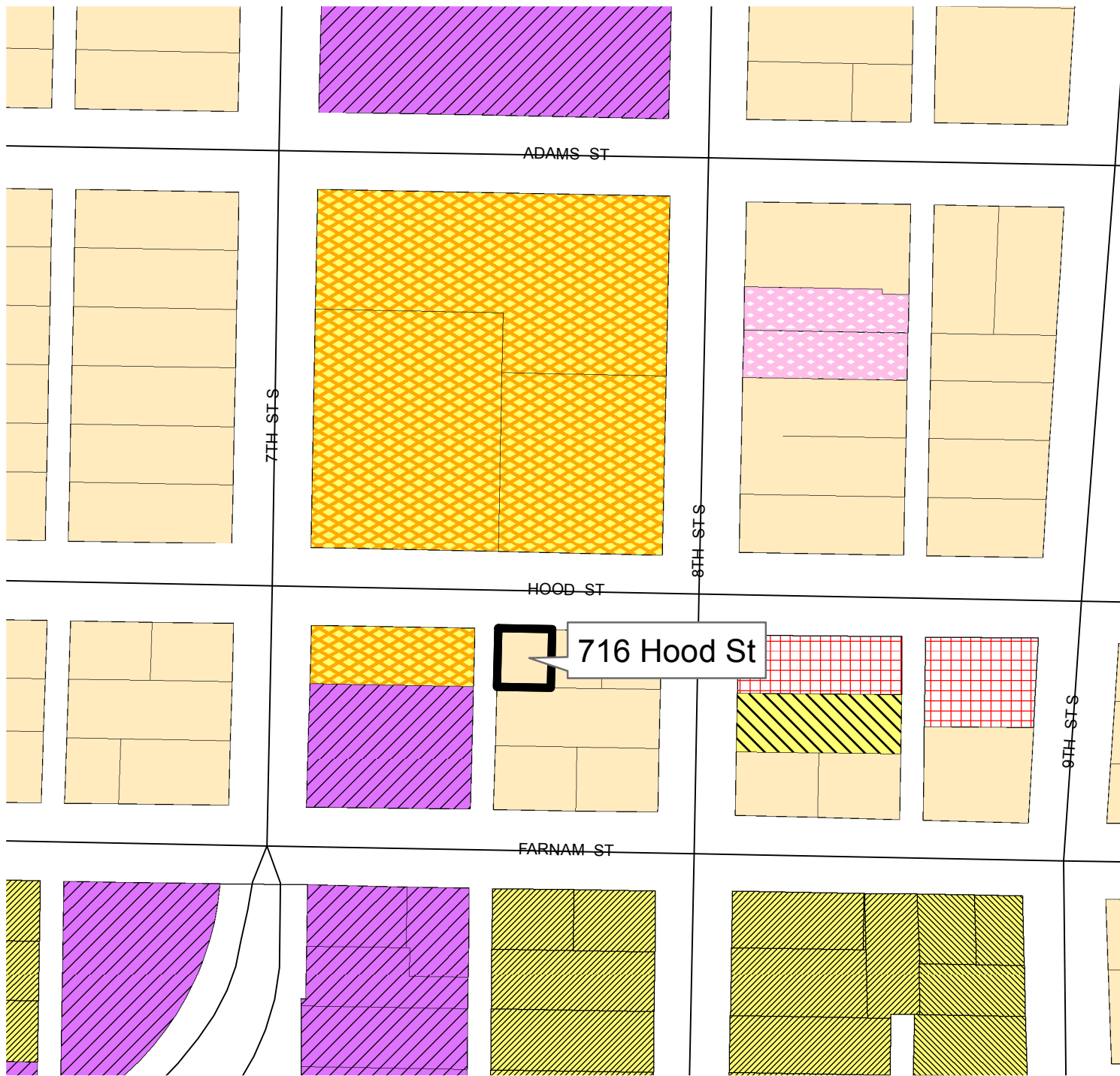
N/A

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

This ordinance is not consistent with the comprehensive plan. The use is not compatible with traditional neighborhood development identified in the Future Land Use Map. The ordinance conflicts with Land Use Objective 7 to improve land use compatibility and Neighborhood and Housing Objective 1 to improve neighborhood land use planning.

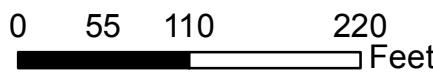
➤ **PLANNING RECOMMENDATION:**

This Ordinance is recommended for denial. The property is adjacent to R1, TND, and PS Districts, so rezoning to C1 may be considered spot zoning. Spot zoning is invalid because it often only benefits the property owner and does not support a legitimate public purpose. The 2013 rezoning was a legitimate public purpose (to advance the Joint Neighborhood Campus Plan), while this rezoning seems to be just to raise the property value when it comes to sell. Further, the current zoning (R1) does not preclude any economic use of the property; it just can't be used as a junkyard. The land still has some value as a residential property, so the 2013 rezoning would not be considered a taking.


























BASIC ZONING DISTRICTS

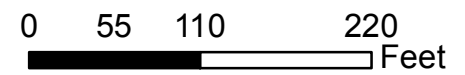
-  R1 - SINGLE FAMILY
-  R2 - RESIDENCE
-  WR - WASHBURN RES
-  R3 - SPECIAL RESIDENCE
-  R4 - LOW DENSITY MULTI
-  R5 - MULTIPLE DWELLING
-  R6 - SPECIAL MULTIPLE
-  PD - PLANNED DEVELOP
-  TND - TRAD NEIGH DEV.
-  C1 - LOCAL BUSINESS
-  C2 - COMMERCIAL
-  C3 - COMMUNITY BUSINESS
-  M1 - LIGHT INDUSTRIAL
-  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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