

**CITY OF LA CROSSE, WISCONSIN
CITY PLAN COMMISSION
REPORT
September 28, 2020**

➤ **AGENDA ITEM – 20-1133 (Tim Acklin)**

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Washburn Residential District to the Commercial District allowing a community resource facility at 508 5th Avenue South.

➤ **ROUTING:** J&A 9/29/2020

➤ **BACKGROUND INFORMATION:**

The applicant, Catholic Charities, is requesting to rezone the property depicted on attached **MAP PC20-1133** from the WR-Washburn Residential District to the C2-Commercial District in order to use the property as a community resource facility for the homeless population. The applicant has stated that they intend to combine some services that are provided at 413 3rd Street S and 3710 East Ave S and the services that were provided at 114 6th Street N into the current building at 508 5th Avenue S. These services would include:

- 1) Shower and laundry facilities
- 2) Receive hospitality. (cup of coffee)
- 3) Assist community members with financial needs, job training, job opportunities, case management, and professional services such as mental health counselors, legal consultation, addiction treatment, housing referrals and more.
- 4) Men's Clothes Closet – Move Men's Clothing Closet to this new location.
- 5) Food Pantry
- 6) Community Collaborative. They hope to coordinate services with other non-profits, churches, corporations, and government agencies where anyone in need has a place to go to seek information
- 7) Community Meeting Room. They state that it would be open for neighborhood meetings
- 8) Possible location for overflow warming center if needed during the COVID-19 pandemic. They stated that due to the COVID-19 pandemic and the upcoming winter season special circumstances might require additional space when the La Crosse Warming Center and the Salvation Army are at capacity. They also stated that they do not intend for this to act as a permanent overnight facility. It would only be as a last resort during the COVID-19 pandemic if needed.

The applicant has also provided the following information regarding this facility:

- 1) It is a Day Resource Center, not a night shelter. Hours of operation will be from 9:00 AM to 4:30 PM, Monday through Friday
- 2) Programming will revolve around a service delivery model for the entire community not just a place for homeless people.

- 3) No loitering will be allowed. People participating in the activities of that day will be inside the building. Those who are not will not be allowed to “hang out”. This will be achieved by the following:
 - Cameras will be installed outside to monitor the area. No one will be allowed on the premises after hours. The Police will be called.
 - Regular sweeps of the building and block by staff and volunteers
 - Staff will coordinate with the Police Department and Resource Officers to ensure this is the case through increased monitoring of the neighborhood
 - Guests of the Resource Center will be aware of the rules upon entry and the enforcement of these rules
- 4) Staff and volunteers will walk the block daily to ensure cleanliness of the neighborhood and do our part of being a good neighbor. Again, no loitering will be allowed so that should minimize or eliminate any problem in this area.
- 5) Smoking will not be allowed inside the premises.
- 6) Clients that refuse services will be referred to the County’s Human Services Dept. or the Police
- 7) Community-wide programming and services will be available in the building. The entire community and neighborhood will benefit. There will be something for everyone.
- 8) In 2019 they assisted over 2,000 families and individuals providing over \$300,000 in financial aid (rent payments, security deposits, utilities, etc.), thus avoiding potential evictions and situations that can lead to homelessness. Placed almost 100 individuals into permanent housing.

The existing building located at 508 5th Avenue is commercial in nature and was used for offices for well over 20+years. It has approximately 5,510sqft on the main floor. There is also a full basement.



With the exception of the one parcel located to the north on the corner of 5th Ave & Cameron Ave this entire half block was zoned C2-Commerical until 2004 when the Washburn Neighborhood Association worked with the City to create the Washburn Residential Neighborhood District and rezone these parcels, along with a large part of the central core of the neighborhood.

➤ **GENERAL LOCATION:**

508 5th Ave S. The property is located just south of the intersection of 5th Avenue and Cameron Avenue. Common Council District 9, Washburn Neighborhood Association.

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

The applicant did attend a Washburn Neighborhood Association meeting to discuss their rezoning but no action was taken by the neighborhood.

➤ **CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:**

This parcel is depicted as “Downtown” in the Land Use Element & Future Land Use Map of the Comprehensive Plan. This land use category allows and promotes high-intensity office, retail, housing, entertainment, convention and public land uses, preferably in mixed-use buildings. High priority is placed on providing attractive public amenities with strong pedestrian orientations. The density of housing in this category is expected to be greater than 15 housing units per net acre. Corresponding zoning districts are R5-Multiple Dwelling, R6-Special Multiple, C3-Community Business, C2-Commercial, M1-Light Industrial, or Planned Development. While the proposed rezoning classification is consistent with the Comp Plan, a single-story office building would not be considered high-intensity. This term implies newer construction at a density that is higher than what is typically found in the existing neighborhood or community.

The 2002 Washburn Neighborhood plan addresses finding a balance between Single Family and Multiple Family Buildings Balance. The Washburn Residential Zoning District Ordinance creation stems from this objective in their plan and as a result of general concerns by neighborhood residents for the future of the neighborhood and the direction in which it is heading. Several neighborhood residents had been working for over a year to research and devise a comprehensive rezoning of the neighborhood. While there is no residence currently on this site, the remaining properties on this block are all homes that the Washburn Neighborhood included in their effort to preserve and stabilize.

The 2002 Washburn Neighborhood Plan also identifies the desire for neighborhood businesses and to work with the City to identify appropriate locations and types of businesses for neighborhood scale operations, such as grocery store. Neighborhood commercial typically implies businesses on small commercial sites with an emphasis on uses which will provide services for the nearby residential areas.

The “draft” plan of the Coulee Collaborative to End Homelessness (CCEH) includes a centralized, one-stop navigation center as a 2-year goal. The “draft” plan states that a system improvement, which could include Bridge Housing on-site, is to develop a “navigation center”. One accessible location for access to mental and physical health services, benefits, basic needs, food, housing connections, etc. This model has been proven to work. This model could also include:

- Access to productive activities during the day (e.g., computers, job and housing search, on-site services, skills training)
- On-site mental health, healthcare, and workforce services

This plan has not yet been adopted by the CCEH but clearly addresses the need for a center that will provide many of the services the applicant is proposing. Their plan also strongly supports the need for housing and to incorporate a housing component into the center. Their plan does not address any potential locations of such a center.

➤ **PLANNING RECOMMENDATION:**

Staff will be evaluating this item with the following criteria:

Compatibility with land use and zoning of property within the general area.

Both the surrounding land use and zoning is a mix of residential and commercial. There is commercial primarily to the north and west of this parcel as well as some parcels to the south where commercial businesses currently exist. Additionally, there are residential properties to the south and east of this property. Keeping it Washburn Residential or rezoning it commercial could both be considered compatible with the surrounding properties. One interesting aspect to note is that this was the only parcel in this general area that had commercial on it that was rezoned to Washburn Residential by the Neighborhood Association.



Suitability of the property for the uses permitted under the existing zoning classification.

Current zoning permits the following uses:

- Single family homes
- Schools
- Family day care homes (In-home daycare)
- Multi-family buildings by CUP.

It is unlikely that the existing building would be converted to a single family home due to its size and building placement on the site. (It is right up to the public sidewalk). There may be some interest in converting it to multi-family as it is large enough and already has parking in the rear but again past discussions with developers have deemed it not ideal to have windows into residences right next to the public sidewalk.

The building and location would be ideal for a small-scale neighborhood business. This use would be permitted in the Washburn Residential zoning district by a CUP. Unfortunately, the size of the building exceeds the maximum sq ft allowed and does not allow for office. The Code may be amended to permit this if desired.

Otherwise if the zoning remains as Washburn Residential and the existing building is not viable for residential it would have to be demolished. The 2020 assessment of this property is Land-\$55,100, Improvement- \$281,700, Total- \$336,800. The lot is not large enough (11,017.5sqft) to subdivide into two separate parcels under current code requirements which would likely be the only way to recapture the lost improvement value as the surrounding homes are between \$130,000-\$160,000.

The trend of development in the area of the property in question.

In terms of development the immediate area has not seen much in the way of new development. Several of the surrounding property owners have invested in their properties and have fixed them up. There are many architecturally significant and historic homes on this block.

504 5th Ave S

2003



2019



Expanding out from this area the trend has been leaning toward newer homes. Habitat for Humanity, La Crosse Promise and the City's Replacement Housing program have all instrumental in creating new homes to the south of this area.

Consistency with the Comprehensive Plan and the plans for the area that have been adopted by the City Council

While the proposed zoning is a corresponding zoning district of the desired land use in the Future Land Use Plan the proposed use does not fit the description. It would have to be a multiple story commercial or mixed-use building. If the zoning was to stay the same a 4-unit multi-family building by CUP would have to be built to meet the 15 units per acre requirement.

The existing zoning is more consistent with the Washburn Plan and their desire to stabilize single family homes, neighborhoods or support neighborhood businesses.

The proposed use has been identified as a need in the City in the “draft” plan of the Coulee Collaboration to end homelessness. Their plan does include a strong housing component. It does not include any direction of desired locations.

Is there an overriding public good to be gained by rezoning the property?

I do not think that anyone would argue that the services currently provided by Catholic Charities are not helping the homeless population in community. With the current pandemic, economic recession, and rising costs of housing, issues surrounding the homeless will likely increase. Catholic Charities is providing services few would be willing to take on at the level that they are.

Providing these services does come with other issues. At their previous location at 114 6th Street S there were 78 police visits from August 25, 2019 to March 17, 2020. These visits were related to fights, noise, battery, follow ups to previous visits, looking for missing individuals, violations of court orders, theft, and general disturbances. At their location at 413 3rd St S there were over 100 police visits between August 26, 2019 and July 29, 2020. These visits also were related to arrests, fights, noise, battery, follow ups to previous visits, looking for missing individuals, violations of court orders, theft, and general disturbances. While some of these types of police visits may not be viewed as a serious concern the number of visits by the police at either location is staggering.

Does the public good of an organization that provides needed services to the homeless population outweigh the impact it will have on a neighborhood that is trying to maintain a residential identity through the development of newer homes and property owner reinvestment? A neighborhood by their own right already stressed with police presence due to drug issues and other crime. Will we be further concentrating poverty into a low-income neighborhood by rezoning this property for this facility?

Conclusion

Efforts to improve the lives of people experiencing homelessness are fully supported and we believe the highest priority must be to find ways to find suitable housing with supportive services for those individuals so they can succeed. The City has financially supported numerous initiatives aimed at improving existing services and finding housing for this population.

We also believe in ensuring that our zoning policy meets the goals of our neighborhoods, which are encouraging the development of new housing, deterring crime, and encouraging neighborhood commercial (coffee shop, deli, day care) to make the neighborhood more livable and desirable. The proposed project by Catholic Charities to operate a daytime facility and provide services do not fit the goals or priorities of plans laid out by the Washburn neighborhood and the Planning

Department. (It is important to note that current plans involving land use do not address homelessness.)

While the intentions of the project are good, the reputation of the operations of these facilities also precede this proposal. The former Franciscan Hospitality House and the Warming Shelter have resulted in numerous police calls for service. While they have stated several initiatives to reduce the amount of calls the question of why this was not done previous at these locations needs to be asked.

While cognizant that these services are important, staff is recommending DENIAL of this item.

In light of our denial, we would advocate for the following:

- **Support from the City and County and with the help of future Emergency Solutions Grant as part of the CARES Act funding, where possible, to fund motel/hotel vouchers plus case management services for any overflow needs for homeless population during COVID-19.**
- **Post COVID-19 and now, find ways to use existing facilities (Catholic Charities and Salvation Army, or others), to provide laundry/showers. The Salvation Army and the Warming Shelter both already have experience providing these services during the day. Creatively strategize how on to improve these services.**
- **Creatively partner with other agencies, facilities and neighboring municipalities to provide other community services in the proposal (for example, the library, Coulee Council on Addictions, churches, the Salvation Army etc.).**
- **Work with other agencies on a more thoughtful approach and discussion on developing a resource center that can also provide housing as part of the solution.**

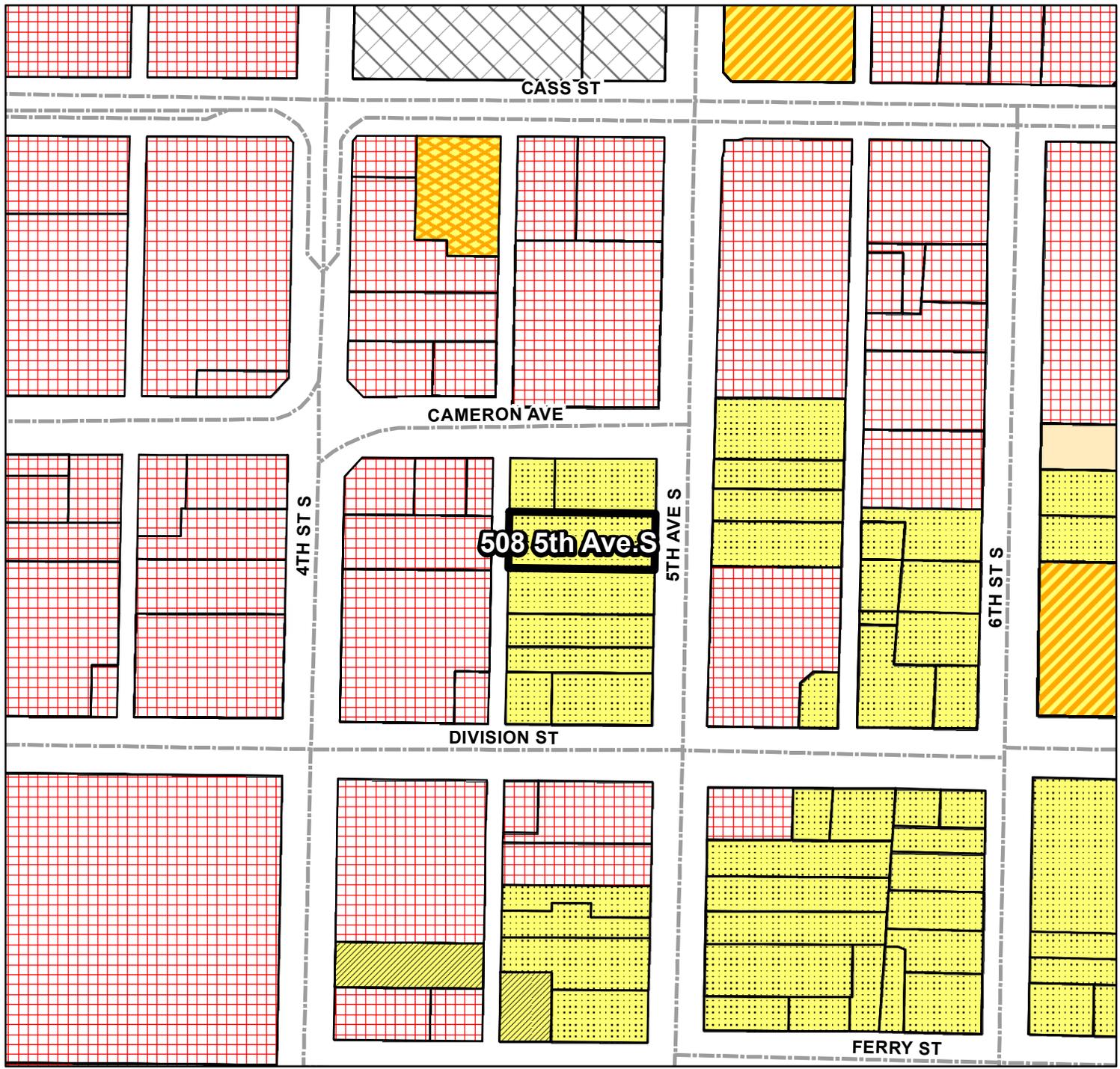
UPDATE: October 2020 Cycle

At their September 10, 2020 meeting the Common Council moved to refer this item for 30 days. During the City Plan Commission Meeting the applicant requested that their petition be withdrawn in response to the number of concerns raised by the neighborhood. There was support to honor their request for withdrawing their petition and support to deny the petition as the neighborhood requested. Clarification was requested at the Common Council meeting on what the applicant can, or cannot, do depending on what the Common Council's final action is. Planning staff and the Chief Building Inspector have discussed this issue and are providing the following feedback:

- 1) If Common Council action is to Not Adopt without notation. (Not honor withdraw request)
 - a. Current ownership of the parcel may not submit another rezoning petition on this property for C2-Commerical zoning for 1 year. (Section 115-34)
 - b. Current ownership may submit a rezoning petition on this property for any other zoning district at any time.

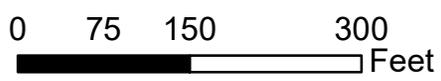
- i. Their proposed use would also be permitted in C1-Local Business; however, this would not change the Planning Departments recommendation.
 - c. If ownership changes then the new owner may be permitted to submit a rezoning petition for C2-Commerical before the 1-year prohibition has ended.
- 2) If Common Council action is to Not Adopt with notation. (Honor withdraw request)
 - a. Current ownership may submit a rezoning petition on this property for any zoning district at any time.

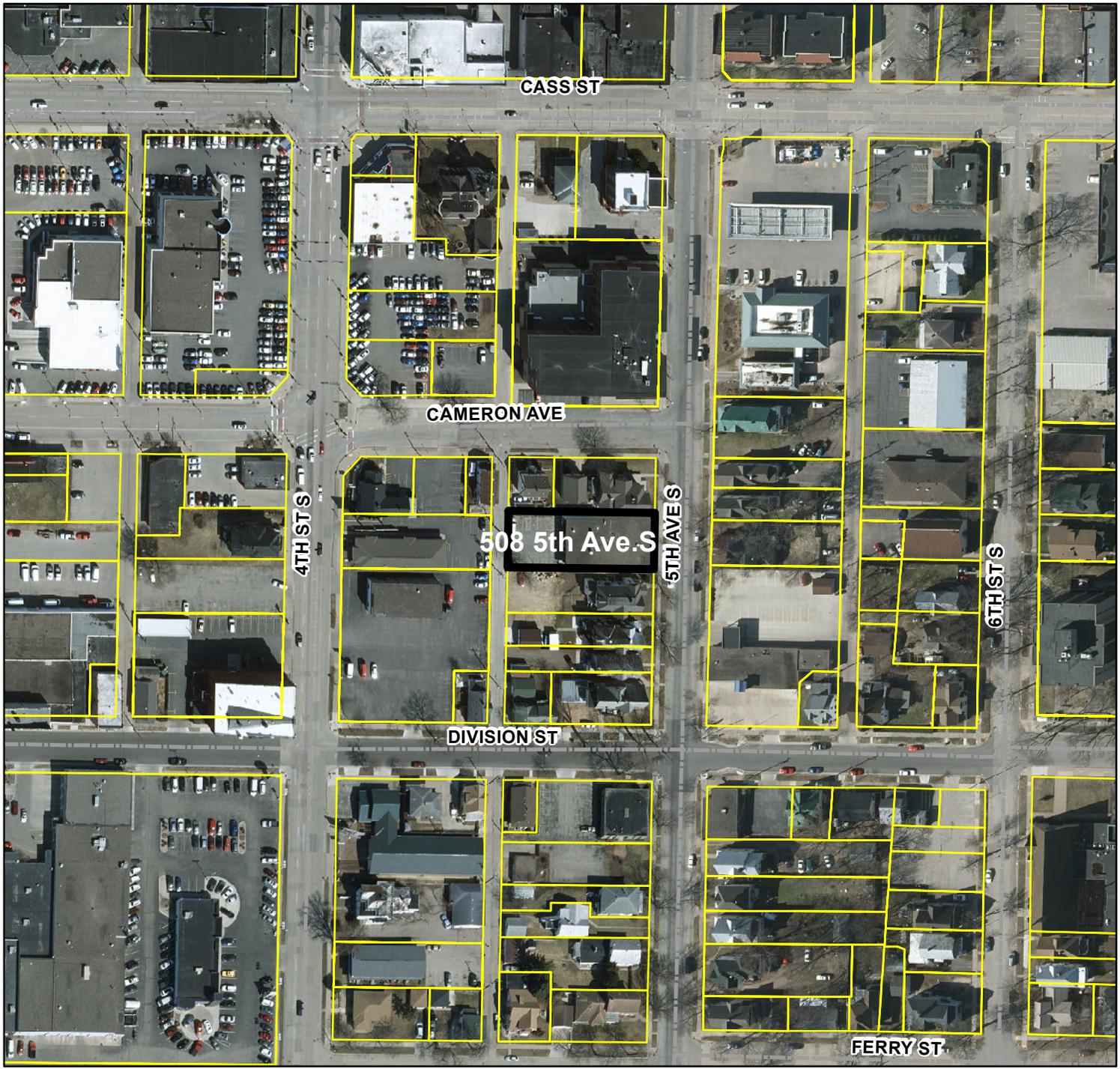
Staff recommends to not adopt with the notation that the applicant is withdrawing their application and honor their request. Unless the applicant has worked it out with the neighborhood and achieved unanimous consent, it would be very counterproductive of them to resubmit their application. However, should they be able to achieve such a result we should not impede their ability to move forward.



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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