

James Makepeace, P.E.
Makepeace Engineering LLC
200 Mason St. #3
Onalaska, WI 54650

October 5, 2020

La Crosse City Clerk
400 La Crosse Street
La Crosse, WI 54601

Certified Survey Map & Waiver of Plat Requirements

In August, 2020, on behalf of my client, E&S La Crosse, we submitted a three lot CSM for the former Kmart site, Hardees, and adjacent parking. We requested a waiver of the City's plat requirements in the subdivision ordinance, and allow the rearrangement of parcel lines through this Certified Survey Map.

The City began review of the CSM and put the waiver on the necessary agendas.

At that time, we also learned that a portion of the property-Lots 9 and 10 of the Tyson Addition to the City of La Crosse, is still zoned R1, and would need to be rezoned to C1 before the CSM could be approved and recorded.

We then pulled the waiver and CSM.

E&S La Crosse would like to resume the waiver and CSM approval process.

Rezoning

E&S hereby also requests rezoning of Lots 9 & 10 of the Tyson Addition to the City of La Crosse to C1. Said lots have been serving a commercial use for many decades and the current R1 zoning would appear to be an oversight from many decades ago. Rezoning to C1 will align the current zoning with the historical use, will create consistency throughout site, will allow the subdivision necessary to redevelop this property.

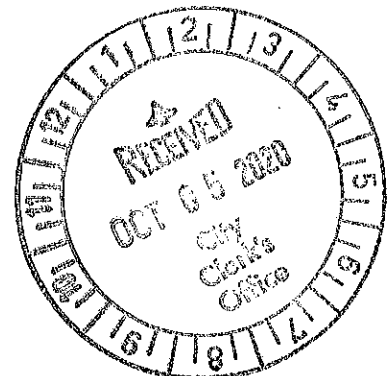
Although the City of La Crosse's Future Land Use Map shows this property as single family residential, we suspect this is merely an oversight. Since this has been a commercial paved parking lot for decades, we believe the City of La Crosse intends for the use of this property to continue as commercial

Enclosed, please find the following:

1. Revised draft CSM
2. Our request letter dated 08/17/2020
3. The original CSM checklist
4. Correspondence from the clerk's office dated 08/25/2020
5. \$200 CSM fee
6. A petition to rezone the portion of the property which is still R1 to C1
7. \$450 rezoning fee

Sincerely,
James Makepeace, P.E.

Encl



PETITION FOR CHANGE TO ZONING
CITY OF LA CROSSE

AMENDMENT OF ZONING DISTRICT BOUNDARIES

Petitioner (name and address):

E&S La Crosse, LLC
2418 State Road
La Crosse, WI 54601

Owner of site (name and address):

E&S La Crosse, LLC
2418 State Road
La Crosse, WI 54601

Address of subject premises:

2505 State Road
La Crosse, WI 54601

Tax Parcel No.: 17-50298-35, 17-40107-90

Legal Description: Lots 9 and 10 of Block 1 of the Tyson Addition tot he City of La Crosse
Also, see legal description for former Hardees site from La Crosse
County Parcel Viewer.

Zoning District Classification: R1-Single Family Residential

Proposed Zoning Classification: C1-Local Business

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 Rezoning consistent with the policies of the Comprehensive Plan? Yes No

Property is Presently Used For:

Paved Parking lot serving adjacent parcels already zoned C1-former Kmart and Hardees buildings

Property is Proposed to be Used For:

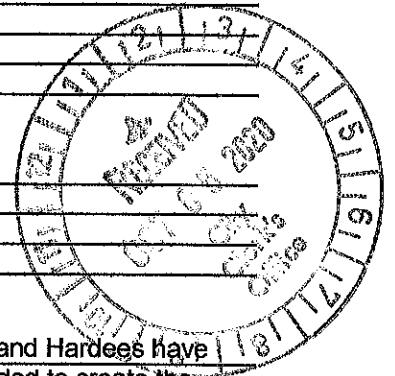
Paved Parking for the benefit of the same properties

Proposed Rezoning is Necessary Because (Detailed Answer):

This property has been used as paved commercial parking for decades. As Kmart and Hardees have both closed this area is likely to be redeveloped in the near future. Rezoning is needed to create the proper parcel boundaries to support sale and/or redevelopment of the area.

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

There is not a proposed change to the actual use, just a change to bring zoning in line with historical use. The neighborhood has had this property use for many decades already.



Proposed Rezoning will not be Detrimental to the City's Long Range Comprehensive Plan Goals, Objectives, Actions and Policies Because (Detailed Answer):
The rezoning will allow the continued commercial use of the former Kmart and Hardees, as well as Village shopping center. The rezone will allow property lines to be rearranged in such a way as to promote redevelopment of the property, and therefor increased property values and tax revenue.

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 18th day of December 2018.

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)

George Parke

(telephone)

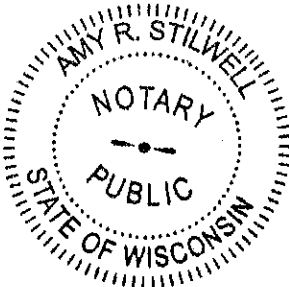
(date)

(email)

STATE OF WISCONSIN)

COUNTY OF LA CROSSE) ss.

Personally appeared before me this 5 day of October, 2020, the above named individual, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Amy R. Stilwell

Notary Public

My Commission Expires: 03-03-2024

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

Review was made on the 2nd day of October, 2020.

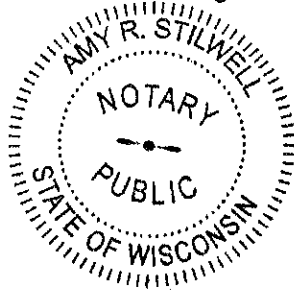
Signed: See Following email from Tim Acklin dated 10/02/2020
Director of Planning & Development

AFFIDAVIT

STATE OF)
) ss
COUNTY OF)

The undersigned, E&S La Crosse, LLC, being duly sworn states:

1. That the undersigned is an adult resident of the City of _____, State of _____.
2. That the undersigned is (one of the) legal owner(s) of the property located at 2505 State Road.
3. By signing this affidavit, the undersigned authorizes the application for a conditional use permit/district change or amendment (circle one) for said property.

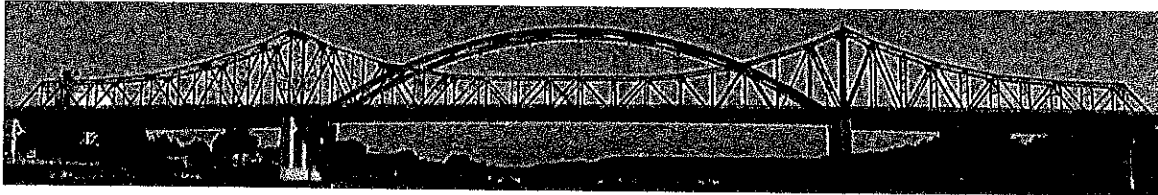


[Handwritten Signature]

 Property Owner

Subscribed and sworn to before me this 5 day of October, 2020

Amy R. Stilwell
 Notary Public
 My Commission expires 03/03/2024



[Parcel Search](#) | [Permit Search](#)

2505 STATE RD LA CROSSE

Print View

Parcel: 17-50298-35 Internal ID: 39117
 Municipality: City of La Crosse Record Status: Current

Parcel Information:

Parcel: 17-50298-35
 Internal ID: 39117
 Municipality: City of La Crosse
 Record Status: Current
 On Current Tax Roll: Yes
 Total Acreage: 1.267
 Township: 15
 Range: 07
 Section: 09

Parcel

Taxes

Outstanding Taxes

Assessments

Deeds

Permits

History

Legal Description:

PRT NW-NE & PRT LOTS 9 & 10 BLK 1 TYSON ADDN DESC AS FOLL COM INTER NE LN HWY 33 & W LN NW-NE S52D14M27SE 461.55FT TO POB N37D45M33SE 180FT S52D14M27SE 220.67FT S0D3M31SW 240.14FT N52D14M27SW 87.11FT N47D28M38SW 120.42FT N52D14M27SW 160.41FT TO POB (INCL PRT OF 17-40107-090) (HARDEE'S) LAND SUBLEASED FROM K-MART

Property Addresses:

<u>Street Address</u>	<u>City (Postal)</u>
2505 STATE RD	LA CROSSE

Owners/Associations:

<u>Name</u>	<u>Relation</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
E & S LACROSSE LLC	Owner	2418 STATE RD	LA CROSSE	WI	54601

Districts:

<u>Code</u>	<u>Description</u>	<u>Taxation District</u>
2849	LA CROSSE SCHOOL	Y
5	Book 5	N
0039	LA CROSSE TIF 19	N

Additional Information

<u>Category</u>	<u>Description</u>
2012+ VOTING SUPERVISOR	2012+ Supervisor District 7
2012 VOTING WARDS	2012 Ward 21
POSTAL DISTRICT	LACROSSE POSTAL DISTRICT 54601
Use	REST/TAVERN

Lottery Tax Information

Lottery Credits Claimed: 0
 Lottery Credit Application Date:

James Makepeace

From: Acklin, Tim <Acklint@cityoflacrosse.org>
Sent: Friday, October 2, 2020 2:43 PM
To: Elsen, Nikki
Cc: James Makepeace
Subject: RE: CSM - Kmart

Hey Nikki,

I just talked to Jamey about his application. He needs to add a legal description for one of the parcels otherwise all good.

Thanks.

Tim Acklin, AICP
Senior Planner
City of La Crosse
400 La Crosse St
La Crosse, WI 54601
608-789-7391
www.cityoflacrosse.org



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From: Elsen, Nikki
Sent: Friday, October 2, 2020 1:53 PM
To: 'James Makepeace' <james@makepeaceengineering.com>; Acklin, Tim <Acklint@cityoflacrosse.org>
Cc: Karen Dahl <karen@vsccorp.biz>
Subject: RE: CSM - Kmart

James,

If Tim does not respond today, I will allow filing with payment on Monday given this email.

Nikki M. Elsen, WCMC
Deputy City Clerk
608-789-7555
elsenn@cityoflacrosse.org
www.cityoflacrosse.org

From: James Makepeace <james@makepeaceengineering.com>
Sent: Friday, October 2, 2020 1:50 PM
To: Elsen, Nikki <Elsenn@cityoflacrosse.org>; Acklin, Tim <Acklint@cityoflacrosse.org>