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Sent: Sunday, July 28, 2024 6:52 PM
To: ZZ Council Members
Subject: Legal Objector Rezoning letter

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To the La Crosse City Council

Regarding the rezoning of 212 11th St South

Council Members,

The City of La Crosse already has a plan in place for the lot on 212 11th St South. The plan is for the lot to become multiple housing units. This plan began over 20 years ago when the lot was included in the Washburn Neighborhood Residential District. This District's stated purpose is to encourage home ownership (in a neighborhood with significantly differing home ownership rates that the rest of the city)- (Sec 115-148). The City, through proper zoning, set a spending limit on this lot. The goal of this spending limit was to act as a sunset provision for commercial activity. As the owner of the lot spent down this limit, they could no longer make improvements on the property and would be encouraged to sell the lot to a residential developer who would then turn the lot into housing.

The Petitioners hang their argument for keeping this lot a commercial enterprise on a single line from the 2040 Comprehensive Plan saying the "existing uses are desirable" therefore; what they are doing now is desirable to the City. This "desirable" designation is generic, and goes against everything else the City has done or said about the zoning of that lot. The City's plan to make this lot residential began as far back as the Washburn Neighborhood Plan in 2002 and was reiterated in the Imagine 2040 Downtown Plan and the 2040 Comprehensive plan. In none of those plans is this lot shown as continuing as commercial. No plan says the neighborhood needs an expansion of commercial zoning. In all Plans, the visions of the future show the lot as residential housing.

The "desirable" designation for the current use of the property assumes the restrictions on the use of the property. Those restrictions are outlined in the Washburn Neighborhood Residential District and specifically with the spending limit on the property. If the rezoning petition succeeds, it lifts all of these restrictions, changing the nature of the zoning therefore changing the "use" of the property. Loosening restrictions on current property use is not the intent of the 2040 Plan.

Even if the "desirable" designation for the existing use is applicable, the 2040 Plan states that if the property seeks a change in zoning, it is considered a change in use, and the "desirable" designation no longer automatically applies (page 32). The current petition is seeking a change in zoning so the designation of "desirable" no longer applies when considering the future use.

The petitioners say they need the rezoning to lift the spending limit to make improvements to the building. But this spending limit is doing exactly what the City intended it to do! It is a feature, not a bug, in the City's plan. At the heart of this matter is that the petitioner did not understand the limits imposed on the property. They did not perform their due diligence before purchase. Now, they are asking you to fix their mistake. But if you fix their mistake, it will come at the expense of future residential housing as envisioned by the Washburn Neighborhood Residential District. We have heard a great deal about the lack of housing in La Crosse. Here is a chance to help fix that problem. The CM's are being asked to abandon a plan specifically designed to create more residential housing. This petition goes against the larger, stated City aim of alleviating the housing shortage.

There is nothing special about the building at 212 11th South St. The Petitioners, on behalf of Scenic Bluff, argue that this rezoning is necessary to provide dental care to the underserved. Please reference Gundersen Health System's letter on record from the prior petition hearing as a rebuttal to this claim. In it, it outlines that there was a building the Petitioner could have used on Gundersen's campus with a willing well-funded partner (Gundersen) to provide these services. However, Scenic Bluffs chose to leave that arrangement in hopes of moving to this building. Their moving here is a choice, not a necessity.

There are plenty of appropriately zoned lots CouleeCap or Scenic Bluffs could have attempted to purchase, but chose not to. Do not reward their error by compromising the City's larger goal.

Last, but not least, is the lack of a Traditional Neighborhood Development Ordinance. The Assistant City Attorney stated at a Committee meeting earlier this month that the City does not have a TND Ordinance. Without an ordinance, the Petitioners are asking to be rezoned into something that doesn't exist. If the Council grants this petition, there will be no protections for the surrounding neighbors. There will be no ordinance outlining what can and cannot be done with the property. This cannot be the intent of the Council.

With all of this in mind, we ask you to reject the Petitioners request for rezoning.

Karl & Grace Green

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