

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 property 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

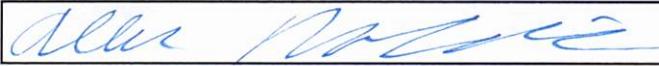
Proposed Rezoning will not be Detrimental to the City's Long Range Comprehensive Plan Goals, Objectives, Actions and Policies Because (Detailed Answer):

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

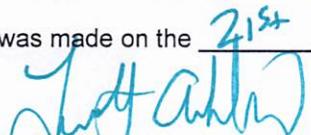
(email)

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 21st day of January, 2024

Signed:


Jeff Ahola
Deputy

Director of Planning & Development

AFFIDAVIT

STATE OF WISCONSIN)
COUNTY OF LA CROSSE) ss
)

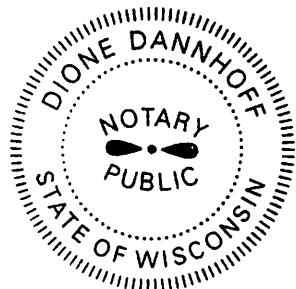
The undersigned, JACK McCormick, being duly sworn states:

1. That the undersigned is an adult resident of the City of LA CRESCE NT, State of MINNESOTA.
2. That the undersigned is (one of the) legal owner(s) of the property located at 43441 Mormon 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.

Jack McCormick
Property Owner

Subscribed and sworn to before me this 14th day of January, 2026

Dione Dannhoff
Notary Public
My Commission expires 10-16-2029



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}

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.

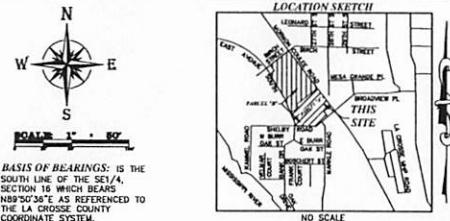
- 1B

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).

ALTA/ACSM LAND TITLE SURVEY

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



BASIS OF BEARINGS: IS THE SOUTH LINE OF THE SE 1/4, SECTION 16 WHICH BEARS NB9°50'36"E AS REFERENCED TO THE LA CROSSE COUNTY COORDINATE SYSTEM.



AS PREPARED BY:
James R. Grothman
 GROTHMAN

GROTHMAN
& ASSOCIATES S.C.
LAND SURVEYORS

ALTA/ACSM LAND TITLE SURVEY



Dates: February 11, 2015

This Survey has been prepared solely for the benefit of the parties set forth in this Surveyor's Certification and may not be quoted or relied upon by, nor may 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 Gottman & Associates, S.C. prior written consent. The Matthews Company, Inc. and Gottman & Associates, S.C. expressly disclaim any duty or obligation towards any party that is not identified in this Surveyor's Certification.

17220 Newhouse Street, Suite 106-1115, Fountain Valley, CA 92708	Tel: (714) 979-7141 Fax: (714) 641-3840	www.spiritrealtycompany.com
REVISION	BY AP/V	
Spirit Really Capital, Inc		
4344 Mormon Coulee Road		
La Crosse, WI		
(ShopKo)		
DATE: 1 ST = 50'	CHKD	/AP/V'D:
DATE: 13/03/2013	APPROVED	
BY: S. STACHOWSKI	PROPERTY ID #	P01520
ED BY: J. GROTHMAN	SHEET 1 OF 2	
J.M.: 15-04-16-11042		



