

Elsen, Nikki

From: elsenn@cityoflacrosse.org
Subject: FW: Request please post to Legistar

----- Forwarded message -----

From: Michael Garvey <michaelgarvey@gmail.com>
Date: Thu, Mar 7, 2024, 21:38
Subject: Request please post to Legistar
To: elsenn@cityoflacrosse.org <elsenn@cityoflacrosse.org>

28 July 2024

Dear Nikki:

Jen and I would like to apologize to the committee and other members of city government and neighbors that we aren't unable to appear in person to present to the meeting. Jen and I must work extended hours all this week to fill in for a sick colleague at work to avoid lapses in patient care.

We would like to post a letter renewing our objection to the proposed rezoning of the REACH property immediately adjacent to our property. Our objection-- as well as those almost unanimously of neighbors--are well known to the committee and are published for the record.

We are disappointed and saddened that our previous objections, backed by a majority of the committee, have essentially been bulldozed by special interests. The rezoning of a large swath of property to essentially commercial property use with no limitations could spell a death knell for the neighborhood. We are baffled by the priorities of city government, both members of this committee, and the mayor, reflected in this rezoning which flies so directly in the face of both public planning basics and of common sense.

We're also disheartened and feel a sense of helplessness and betrayal in that we had as a neighborhood--fair and square--defeated the proposed zoning change, only to have it thrown back well before the established norm of 12 months via what appeared to be rather sketchy parliamentary back room maneuvers and tactics.

Jen and I for one, as I outlined to the committee in an earlier in-person appearance, will now certainly not be recommending our neighborhood to incoming Mayo physicians and their families. We have regret now that we think back to our decision to commit an enormous amount of resources and time to move our family to our current neighborhood and to invest so heavily in the upkeep of a very labor intensive old house. We think back to how our colleagues at Mayo cautioned us to look for real estate Shelby or Onalaska, and to avoid downtown La Crosse. We now have a greater understanding of their concerns, and frankly wish we could revisit our decision 3 years ago.

Below please find a copy of our original letter of objection, originally posted in March, 2024.

We live at 221 10th Street; our property sits next to the parking lot and directly across the alleyway from the REACH Center. We are "legal objectors," and our home is immediately adjacent to the REACH center.

We feel once again compelled here to emphasize an important point: Jen and I (and frankly ALL of our neighbors, who tend like us to be progressive in our politics) support the mission of REACH and (especially) Scenic Bluffs Community Clinics. We want to make that clear. Doing pro bono ophthalmic surgery in El Salvador and in Honduras while in the Army made Jen and me appreciate how even a measured amount of well directed medical care can make an outsized difference for a vulnerable population. It's an important resource. But we feel that this resource should be placed in a sensible location where it will not have a negative impact on its surroundings but will have room to grow and serve the greatest number of people in the community.

A "win-win" situation would certainly be placement of such a valuable research at a location with ready access, in a location with expansion to fit the ambitious growth plans of Scenic Bluffs, and in a location that does not threaten the health of a neighborhood that is only recently spreading its wings to welcome families and owner/occupiers.

We in the surrounding neighborhood have been the targets of a campaign by these organizations that unfairly villainize and characterize us as selfish and unsympathetic to the needs of the region. They have done so privately and publicly. I'm not sure exactly how to articulate how I felt when I emerged from the two consecutive committee meetings on Monday and Tuesday evenings, but it felt an awful lot like being bullied. Sanctimonious and patronizing lecturing from the microphone by at least one city employee during Monday's session was frustrating and infuriating. We are simply trying to shelter our developing neighborhood from inappropriate institutional/commercial development by—let's face it—powerful special interest groups.

It's difficult to express the profound impact the proposed rezoning of the REACH Center has had upon us as a family. We think there are many reasons that the city government of La Crosse should deny this rezoning application. First, there is the obvious contradiction between the rezoning proposal and the city of La Crosse's own formal vision for the neighborhood as expressed in the Imagine 2040 La Crosse Downtown Plan and in the Comprehensive Plan. Both of these documents are recent and were apparently published at the expense of about \$400,000 of City of La Crosse resources, and clearly reflect a great deal of thought and planning by city staff, as well as careful input by the community.

Both of these documents envision a future for the neighborhood we live in that is diametrically opposed to what is now being aggressively marketed to the city Council Members and to the community at large by REACH, which is a well funded and very organized special interest group with significant fiscal, manpower, and legal resources at its disposal.

But we will not address this very important grounds for objection to the rezoning proposal here, and instead urge you to read our neighbors Michelle and Andrew Elliott's letter of 25 February. Their letter illustrates with specific references how the rezoning would fly in the face of the city's long-term goals (which you probably know strongly emphasizes new family homes and specifically discourages exactly the kind of medium-to-large scale institutional activity that would result from the rezoning as requested by REACH.)

We similarly will not detail the profound impact the increased volume of traffic here. Again, please reference the Elliotts' report of the REACH and Scenic Bluffs' own (almost certainly very conservative) estimates of the vast increase in volume of persons—on foot or in vehicles—that would accompany a rezoning to the scale sought by these organizations. Public roads never meant for more than light traffic such as King Street, 11th Street, and 10th Street will be taxed beyond what a reasonable person would consider to be safe. We also fear that the alleyway behind our home—where our children sometimes must walk or ride—will become a de facto highway for vehicles accessing the REACH Center.

Nor will we delve into the safety/security concerns we have for our children and our property with an anticipated increase in traffic. Since the opening of the REACH center and with the current relatively modest amount of traffic we have witnessed frequent disturbances that range from nuisances to the downright threatening (incursions over our fence; the nextdoor neighbor was threatened with a knife after challenging a man he suspected of theft to name just a couple salient episodes). For specific detail about how our family has started to rethink our residency here in La Crosse because of concern for physical safety, I would urge you to please read the letter that we wrote to our city Council Member Mackenzie Mindel (who seems completely unmoved by her constituents'—I think quite meritorious—arguments against the inappropriate demands for expansion and rezoning by these two special interests).

In case the physical safety—and perhaps more importantly—the sense of security of the parents of young families newly arrived in the neighborhood is insufficiently moving, I would like to highlight another likely consequence of rezoning: discouragement of new families from moving into the neighborhood and the possible flight of current families.

Our neighborhood is a fragile one, recovered over the past 20 years (following a hard-fought battle to zone the area as strictly residential—precisely the zoning that would be un-done by the current proposal) from an era when young families moved out and stayed out because of security concerns. Over the past 20 years, this has been reversed directly because of zoning changes, providing a stability wherein families like ourselves, (the Elliots, the Parsons, and others) feel we can make a safe home for our kids. Incidentally, Ric and Emily Harned were among those “pioneers” who braved some rough times to “take back” the neighborhood through a successful effort to zone it as strictly residential. Ric and Emily, who live on the corner of Cass and 10th Streets, spoke about these hard-won gains during both of the public meetings with Council members that precede the final vote on rezoning. All these gains threaten to be unraveled if the precedent of this rezoning is established.

Presumably, it is in the interests of the city of La Crosse to encourage new families to own homes in the city, to maintain those homes and create healthy neighborhoods. Hopefully it is not lost upon Members that these residents also improve the tax base of the city, and feed La Crosse public schools, which are now in a crisis of decreasing enrollment. Hopefully there is an awareness that institutional invasion of and displacement of family ownership of homes will also have a negative impact on tax revenue: we are also taxpayers.

We realize that this email is running long. But we would beg your indulgence to share our own story of how we came to cast our lot—a leap of faith—when we decided to purchase an old Victorian era house here in this very interesting and vibrant neighborhood. Jen and I—both of us ophthalmologists—moved here three years ago from the Portland, Maine area from where Mayo Clinic recruited us to build the ophthalmic surgical practice in La Crosse. Mayo had been trying to attract ocular surgeons for a very long time, and before our arrival, patients were waiting 6 to 9 months for the most common kinds of eye surgeries. It frankly remains a tough sell to bring outsiders to practice medicine and surgery for the population here in La Crosse.

We loved our home in Maine, and were initially loath to leave it to move to a region of the country where neither of us had roots or families. But Mayo Clinic's reputation and a sense of adventure ultimately led us to make the leap. The fact that both Jen and I were recently active duty US Army Medical Corps officers and thus accustomed to moving to new places was certainly a factor. And we are happy that we did. We love our jobs. We love La Crosse. We love downtown La Crosse, and being able to walk to work and to activities downtown. And most of all, we love our neighborhood.

We must be frank and report that when we started house-hunting, our Mayo Clinic sponsors and future colleagues encouraged us to look toward Onalaska and Shelby. The vast majority of our colleagues do NOT live in downtown La Crosse. Similarly, our impression is that the vast majority of our colleagues do NOT send their children to La Crosse public schools. We are proud products of public education, and fervently support public schools. When Mike visited the house that we would eventually buy, colleagues who were longtime residents of La Crosse exchanged uneasy glances. There were whispered admonitions to choose a house on the “right” side of West Avenue if we MUST live downtown. This was not lost on us. They were concerned that we would encounter the sorts of challenges (that the proposed rezoning would ironically create) that would

cause us to be unhappy and thus leave Mayo Clinic. But we loved the eclectic neighborhood on the “wrong side” of West Avenue, and found everyone very welcoming. And so we decided to purchase the Crosby House.

We note here significantly that our home had been on the market for over four years. This underlines the difficulties of drawing new residents to this still-emerging neighborhood. We soon discovered how difficult it is to maintain a 19th century wood sided house in La Crosse. But we dedicated enormous amounts of time and a lot of money to repair and repaint the Crosby House. We thought resources poured into especially external repairs would “pay off” in terms of improving the general appearance of the neighborhood and thus invite other young families to overcome their hesitations and join the neighborhood. Shortly afterward, two new families with young children moved into our block. Of course, we know that this is not necessarily attributable to our work on the house, but we also notice that both of these families have also been investing time and (no doubt) a lot of money into fixing up their Victorian era homes. These folks also, of course, pay taxes. But the impetus and logic in pouring such resources into home maintenance is easily undermined by the sense that our work in developing our homes and neighborhood can so easily be undermined by special interests and a city government and a mayor who seems bafflingly unmoved by our determination to grow the neighborhood.

We are trying to impress upon Council Members that this is a fragile neighborhood—one that has been growing slowly but steadily. Every family counts. And appropriate zoning through a hard fought battle twenty years ago paved the way for this. One Council member reportedly commented something to the effect that the opinions of only a “couple” of families directly adjacent to the epicenter of the proposed zone change don’t matter. To be fair, this was apparently in the context of trying to understand if objections were limited to only a handful of vocal residents. But I think Council members have an obligation to understand that the struggle for a healthy neighborhood is accomplished painstakingly, one family at a time. It is also our hope that Council Members remember who their true constituents are, and distinguish us from what are after all essentially special interest groups.

On the subject of “only a few very vocal families,” we’d like to point out one last thing. Our neighborhood consists of relatively few owner/occupiers of homes. There are many rental units whose tenants do not necessarily have the same “skin in the game” as those of us who have dedicated our families and incomes to our neighborhood. And so we disagree with the premise that the objections of families immediately adjacent to the proposed rezoning should in some way be discounted.

Those of us who are pouring resources into our homes have full time jobs and spend much of the time when we are not working raising our families. We here in the neighborhood are outclassed, outgunned and out-resourced at every level by the juggernaut that is the REACH center. They are well financed. They have full time personnel who are paid to push through the proposed rezoning. They unfairly characterize those of us in opposition as callous and uncaring about those in need of healthcare and social services. This is untrue. I know that I speak for all my neighbors, who almost by definition by casting our lots with downtown La Crosse, are liberal minded and are ironically in fact more likely than perhaps many others to fully support the missions that REACH and Scenic Bluffs are undertaking.

Shortly after we moved from Maine three years ago, we attended a meeting regarding the REACH Center’s plan to start services. We were stunned to watch (outsiders with a fairly neutral position) as local neighbors who challenged the idea of an institution moving into a residential neighborhood were jeered at and insulted by a gallery of youngish people who did not appear to be from the neighborhood. They (outsiders) lectured concerned residents about “being good neighbors.” Only bad neighbors would object to an organization with such a lofty mission. It must be noted that at no time did any of the concerned residents question the importance of the mission of the REACH center. We later learned that these folks were outsiders recruited by REACH to physically be present at the meeting. As we recall they seemed to outnumber local residents and were frankly intimidating. Those neighborhood residents who spoke out were painted as entitled and selfish individuals. We later came to understand that these folks were from an organization called Our Wisconsin Revolution, and were “mobilized” by REACH just to attend the meeting. As you might imagine, this had a chilling effect on any citizen who would have otherwise sought to express a legitimate concern not only during the meeting but beyond.

Even now, we note a proliferation of "letters of support" on the City of La Crosse Legistar site from people who are clearly not from the neighborhood, and in some cases, not even from the state or do not include addresses at all. We understand that REACH has mobilized such forces to undertake a campaign to undermine our neighborhood concerns. We are hoping that city council members understand the clear distinction between letters of opposition from those of us in the immediately surrounding neighborhood versus the smothering number of support letters from people who do not have a stake in this issue.

Finally, we also expect the committee meetings that are open to the public in the run-up to the council's final meeting to be similarly "stacked" by REACH mobilized outside operatives to provide the illusion of a groundswell of support for this inappropriately zoned project. We hope that council members have the sophistication to recognize such an artificial maneuver, should it occur.

We apologize for the length of this letter, and understand that as Council Members your time is valuable. But we felt it important to impart the nuance that is necessary to describe our deep objection NOT to the laudable and important missions of Scenic Bluffs, but to their rezoning proposal that would be so damaging to our neighborhood. We implore you to keep in mind the goal of the city of La Crosse itself in striving to create healthy, livable neighborhoods; we implore you to give us a reason to continue to pour time and money into our high maintenance 19th century homes. Our family has been very content with our choice to dedicate our lives and families to residence in downtown La Crosse—and we fervently wish to stay in our wonderful but needy old house. But we will not sacrifice quality of life and even the safety of our children and sense of security/well being if the city of La Crosse will not do its part in supporting its own citizens.

Sincerely,

Michael G. Garvey MD MAJ USA (sep)
Jennifer L. Garvey MD MAJ USA (sep)
Max (8) and Danica (5)
221 10th Street La Crosse

[copy of letter from Elliots]

QUOTE
REACH Zoning Opposition Letter

Dear Council Members,

Michelle and I are opposed to the rezoning of the REACH Center at 212 11th Street, La Crosse, Wisconsin. Our address is 237 10th St South and is on the same block as the Center but across the alley and just to the south. Our Parcel ID # is 17-20187-60

We have posted our legal objection through the City Clerk but felt the need to send an additional letter better outlining our reasoning and with some new information. We have met with the REACH Center (CouleeCap, YWCA, and Scenic Bluffs) and with our Council Member. In those meetings it came to light that the primary reason for this rezoning petition is because of a difference in interpretation of a covenant that came with the building when CouleeCap purchased it. Because of the covenant, the REACH Center thought they had the ability to expand/remodel without rezoning, and the City disagreed. Rather than pursue legal action against the City to clarify how the covenant and the current zoning restricted the building, the REACH Center agreed to pursue rezoning of the building to Traditional Neighborhood Development. The REACH Center determined it was easier to fight with our neighborhood than fight with the City.

The neighborhood, as evidenced by the addresses on the objection letters, does not want this building rezoned. The proposed zoning change would turn a building that is currently zoned as an exception to our residential neighborhood into its own independently zoned island. Currently, because the REACH Center building is grandfathered into a residential district, it is limited in what it can do within the building and how much money it can spend on the building. If they are allowed to rezone as a Traditional Neighborhood Development, this would remove the current spending restraints allowing the REACH Center to remodel and add services/other entities within it. While rezoning the REACH Center to a TND seems to maintain the status quo, the rezoning would actually allow for expanded use of the building. This expanded use is not in keeping with the vision outlined for the Downtown Neighborhood by the City Council, nor is it good for the safety and security of the residential neighborhood that surrounds the REACH Center.

The proposed rezoning goes against the vision for the Downtown Neighborhood as outlined in the Imagine 2040 La Crosse Downtown Plan and the 2040 City of La Crosse 2040 Comprehensive Plan. The Imagine 2040 La Crosse Downtown Plan is an aspirational document adopted by the City Council in August of 2021. In it, the Plan outlines a concept of a "network of strong neighborhoods." The Plan envisioned sustaining and helping revitalize the Downtown Neighborhoods. It specifically mentions the hard work and financial commitments undertaken by local residents to rehabilitate and maintain the residential houses in the 10th and Cass Historic District. We live in that Historic District and that district abuts the REACH Center. In the Imagine 2040 Plan, the REACH Center building (former Franciscan Skemp Healthcare facility) is identified as a building that is on an "obsolete, inefficient or underutilized lot" and if it became available, the preferred use would be for a medium high intensity redevelopment into residential properties. This Plan, adopted by the City Council, envisioned the long term use of this lot to be used as residential, not commercial. (See page 64-65 of the Imagine 2040 Plan). Allowing the REACH Center to rezone out of the current residential zoning and into TND would go against the envisioned use of the lot.

In another plan adopted by the City Council in October of 2023, The City of La Crosse 2040 Comprehensive Plan, the section called "Growth and Land Use" calls for an increase in housing in the Downtown Neighborhood (our neighborhood), not an increase in social/medical services. (see Page 31 "Existing Uses" and page 36 of the Plan) The Plan asks that commercial uses be smaller and complement the historic nature of the neighborhood. The Plan lists land use types. Within our neighborhood, neighborhood retail/commercial is listed as the mid-tier rank (acceptable) while commercial is listed as the lowest rank (unacceptable). The example given in the Plan for neighborhood retail is a small ice cream shop (Ranison's) that serves the neighborhood, while the example for commercial land use in an older version of the plan was a pharmacy. The REACH Center is planning on adding not just a pharmacy into their building but also an entire medical clinic. The REACH Center is not a small "mom and pop" shop but rather a combination of three larger, regional entities (Couleecap, YWCA and Scenic Bluffs). While the rezoning petition is asking for TND, the actual use of the building will be more in line with commercial use as outlined in the 2040 Comprehensive Plan - the type of use that is deemed undesirable for our neighborhood. The Plan calls for more residential development in the Downtown Neighborhood, not an expanding and enlarging social service/medical development.

The REACH Center will say that this proposal would not change the way building has always been used. But that implies that the neighborhood and the City were happy with the way the building had been used in the past. However, the building was incorporated into the residential zoning rather than given its own separate commercial zoning. This speaks to the fact that the neighborhood and the City felt that this building's commercial use was not in the long term interest of our residential neighborhood. Neighbors who have been in the neighborhood since the building was Mayo's outpatient behavioral health clinic did have issues with the amount of traffic and conduct of patients traveling to and from the Clinic - and this was when the building was being operated by a multibillion dollar healthcare company providing 24-hour security. The current occupants do not offer the safety/oversight provided by Mayo, nor does not changing what is being done in the building help with the problems created by increased patient/client visits to the building.

The proposed zoning change would not just affect what the building can be used for and how it can be remodeled. There are practical concerns other than the building zoning. A major issue is the amount of

increased traffic (pedestrian and vehicular) in the neighborhood. The building is already in use by a variety of social service organizations. In addition to these services, the new medical clinic and pharmacy, Scenic Bluffs Community Health Centers, will have approximately seven new providers in the building. With each provider seeing an average of 10 patients a day and each working 250 days a year, this roughly works out to 17,500 visits. Even if Scenic Bluffs only reaches only half of that number, it works out to almost 8,750 additional visits to our neighborhood a year. The current traffic as reported by the REACH Center was 5,789 total visits. Allowing the zoning change would more than double the current visits to the building. The REACH Center does not sit on the periphery of a residential neighborhood where the traffic might not be noticed. They sit in the center of our neighborhood with access only by side streets (King St, 11th St and 10th St). These 8,750 new visitors will have to drive or walk through the neighborhood to get to the Center. We already have issues with the current amount of traffic. Then the clients will have to park. Hopefully, they can use off street parking provided by the REACH Center. Unfortunately, some of that parking will be in the parking lot the REACH Center wants to keep zoned residential. The REACH Center's desire to sell that lot or develop it as a single family home will be less as it would take away parking for their clients. Street parking is also an issue as we do get spill over from the YMCA customers onto King and 11th Streets. The REACH Center's response has been along the lines of "don't worry, the traffic won't be much more than it was before." That is a cavalier response and doesn't do much to address our concerns.

The second concern is the additional REACH Center/Scenic Bluffs clients. The majority of their clients will present no issues in regard to public safety/crime. But some will. A percentage of clients serviced by the REACH Center have mental health and substance abuse issues. They bring these issues with them, not just while they are in the Center, but while they travel through our neighborhood. With these clients comes an increase in petty crime and vandalism, as well as a feeling of unease. I was at a meeting with the REACH Center where people got a chuckle out of one of our neighbors getting her garbage can stolen recently, but these are the quality of life issues we have to deal with. After the REACH Center moved in, we have seen an increase in people loitering around the neighborhood, dumpster diving, littering, and petty crime. There has been an increase in people wandering through the neighborhood yelling to themselves (or at others) and acting violently. My wife has come home to people trying to break into our garage. Another one of our neighbors has even had a knife pulled on him by someone dumpster diving. I would reference the issues with Houska Park, Burns Park, the Downtown Library and the Downtown Farmers' Market as examples we do not want our neighborhood to follow. At the end of the day, the people working at the REACH Center go home, but we still live here.

Lastly, there is the bigger concern about trust between the REACH Center and the neighborhood. The REACH Center has been very vocal in that they are not going anywhere so the neighborhood is going to have to find a way to live with them. The REACH Center has said that they want open communication with the neighborhood. The Center said they will take the neighborhood's concerns into account when making decisions. But the Center has been pretty high handed about their treatment of the neighborhood. At first, we asked them not to move into the building because, as a residential neighborhood, we thought it would be a bad fit for them and for us. This is not just our opinion but also the vision for the Downtown Neighborhood laid out in the 2040 Comprehensive Plan. The REACH Center told us they were moving in anyway and criticised us for raising the concerns about increased traffic/safety. Then, they added the runaway teen services (RHYMES) without informing the neighbors. We only found out about it when one of the Center's clients got locked out of the Center and asked one of our kids to use a cell phone to call for help. Now they are adding a free medical clinic and pharmacy without taking the concerns of the neighbors into consideration. At one of the open meetings to discuss the rezoning, regarding Scenic Bluffs moving their operations into the building, the CEO of Scenic Bluffs said something to the effect of, "Let's get real, this is happening. The only thing that we are talking about is remodeling to add some dental suites." It sounds like the free medical clinic and pharmacy is coming whether the neighborhood wants it or not. The REACH Center was going to add a partner that would more than double the current visits to the building and it didn't cross their mind to ask the neighborhood what they thought about it. The only way we found out about Scenic Bluffs is because someone not affiliated with the REACH Center told us. And the only reason why the REACH Center is having to file a rezoning petition is because what they want to do is prevented by current zoning restrictions. The zoning restrictions were put in place to protect the residential neighborhood. To lift them, would be to open the neighborhood to the type of

development opposed in the original zoning residential zoning ordinance, the 2040 City Plans and neighborhood itself.

The general feeling is that by the time we hear about things, the REACH Center already has its plan in place, and the neighborhood scrambles to raise objections - but really, it's a done deal. Any input the neighbors have is after the fact and window dressing.

If the zoning change happens, the hope is that this brings some clarity as to what can and can't be done with the property. And it might, until the REACH Center wants to change the zoning again. It has only been three years since the REACH Center went into the King Street property and already they are expanding services beyond what they originally told the neighborhood they would do. They did not ask us what we thought about that. Nothing can stop them from petitioning to change the zoning again in a few years when the political climate might be more amenable to different zoning entirely. We do not see this zoning change as a limiting/clarifying action, but rather it is taking current zoning restraints off of the REACH Center and allowing them to expand. Expansion of services/clients is what they want. The REACH Center's website is very clear that they want more services in the building. What those services are and what effects they might have on our neighborhood is a secondary concern. Again, this is more like a commercial operation than a local neighborhood store. So while there may not be a methadone clinic or an emergency shelter there now, there certainly could be in the future. Three years ago, the Center was not talking about a free medical clinic or a pharmacy.

In short, we are against the proposed zoning change because it runs counter to the current zoning Imagine 2040 La Crosse Downtown Plan, the City of La Crosse 2040 Comprehensive Plan, it would increase traffic and crime in the area, and the change would provide, at best, limited certainty for future uses of the building.

Sincerely,
Andrew Elliott
Michelle Elliott

237 10th St. South
La Crosse, WI
UNQUOTE