

### Agenda Item 24-0190 (Tim Acklin)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from Washburn Residential Neighborhood District to the Traditional Neighborhood District - Specific allowing for continued use of the property as a professional office space at 212 11<sup>th</sup> Street South.

#### General Location

Aldermanic District 8, southwest corner of King Street & 11<sup>th</sup> Street S as depicted on attached Map 24-0190. Parcel is in both the Downtown and Washburn Neighborhood Associations. Surrounding land uses are single family homes to the west that are located within the 10<sup>th</sup> & Cass Historic District, multi-family, single family and a dental office to the north, multi-family, single family, and the YMCA to the east, and single-family and a large apartment building to the south.

#### Background Information

The applicant is requesting to rezone their property from WR-Washburn Residential to Traditional Neighborhood Development-Specific to make improvements to their building and provide additional services. Additionally, the process for this zoning district will also provide a transparent record to the community on the uses/services that are being provided, and will only be provided, at this location.

The building is currently used as a central location for several agencies that provide medical, social, behavioral health, and other benefit services for individuals or families that are experiencing housing and economic insecurity. The proposed zoning would allow another agency partnership that would provide additional services.

The building/property has been used as a medical clinic/office since it was first built in 1957-1958. A large addition was added to the south in 1968. The building was purchased from Mayo Clinic Health System in 2021 to be used as it is now. It was purchased in 2022 by Couleecap Inc. Prior to 1957 it appeared that at least two residential buildings were located on this property.

The property was rezoned to Washburn Residential in 2004 as part of a larger comprehensive rezoning of the Washburn Neighborhood. The Washburn Residential zoning district was created in order to preserve single family homes and require better architectural control over multi-family developments. This parcel was included in the rezoning effort with the desire for it to be redeveloped into housing should that opportunity occur in the future. It was changed from C1-Local Business.

As a result of the zoning change the property is now considered legal non-conforming. Per State Statutes a legal non-conforming use can continue to be used as long as it does not stop being used in that manner for twelve (12) months or longer. The previous use was as an office building which is how it is being used today as determined by our Community Risk Management Department. Being classified as a legal non-conforming use does come with some restrictions. The property owner is not permitted to intensify the current use. This prohibits any additions to the building. Also, the property owner is only permitted to make improvements, except for general maintenance, to the building that does not exceed more than 50% of its assessed value over the lifetime of the building. The Community Risk Management Department has determined that the value left for any improvements is approximately

\$240,210, based off an estimated 2022-2023 assessed value range between \$900,000-\$1,000,000. The applicant would like to make substantial interior improvements to the building as well as add solar panels to the roof. Their proposed projects far exceed the remaining value left. The proposed rezoning would remove the “legal, non-conforming” status on the property and allow for the applicant to make improvements to the building without being held to any cap.

### Recommendation of Other Boards and Commissions

N/A

### Consistency with Adopted Comprehensive Plan

The 2040 Imagine Downtown Master Plan depicts the intersection of 11<sup>th</sup> & King Streets, which includes the subject parcel, as a recommended neighborhood infill/redevelopment site for a mix of residential uses.

The 2040 Imagine Downtown Master Plan also states that a “central facility to provide services for people experiencing housing insecurity” is a major opportunity that is needed. The Salvation Army is primarily a shelter that only offer services to individuals and families that are provided a bed. The REACH Center primarily serves a separate purpose as a facility where most, if not all, of the area agencies have come together to offer services to anyone.

The Land Use Element in the 2040 Comprehensive Plan for the Downtown Neighborhood depicts “Existing Uses” as a desirable land use. These services and uses begin at this location in 2021. The Comprehensive Plan was adopted in 2023. Any new Institutional uses are listed as undesirable. “Existing Uses” are noted within each Future Land Use Category to specify that an existing use is always “Allowable” on any property in La Crosse and that no existing property must be changed in order to comply with the Future Land Use Plan. When a property seeks a zoning change that is also considered a change in use, it will no longer be automatically considered “Allowable” as an existing land use and the desired future land uses are considered. Staff consulted with the Chief Building Inspector as they are the designated zoning administrator for the City who determined that, based off the applicant’s proposed list of uses and even though some are currently not being conducted on the property, it would **NOT** be considered a change in use. All existing and proposed uses would be permitted under an office use.

### Staff Recommendation

Staff worked with the applicant to determine what zoning would allow them to achieve their goals for their property, which was largely their need to make improvements to the property. Traditional Neighborhood Development zoning was suggested as no other zoning district would also allow them to provide all their proposed services, except for a commercial zoning district, which staff was not supportive of. This zoning district has historically worked the same as Planned Development zoning but for projects smaller than two acres in size. Applicants may propose what uses and conditions they desire and request approval from the Common Council. While there are some additional design features and a model ordinance referenced in the Municipal Code that are associated with this zoning district, they only serve as a non-exclusive guide when reviewing applications for this zoning.

The applicant has held several neighborhood meetings and public input sessions to gather feedback and address any concerns. While many stated they would rather see housing on this parcel many also

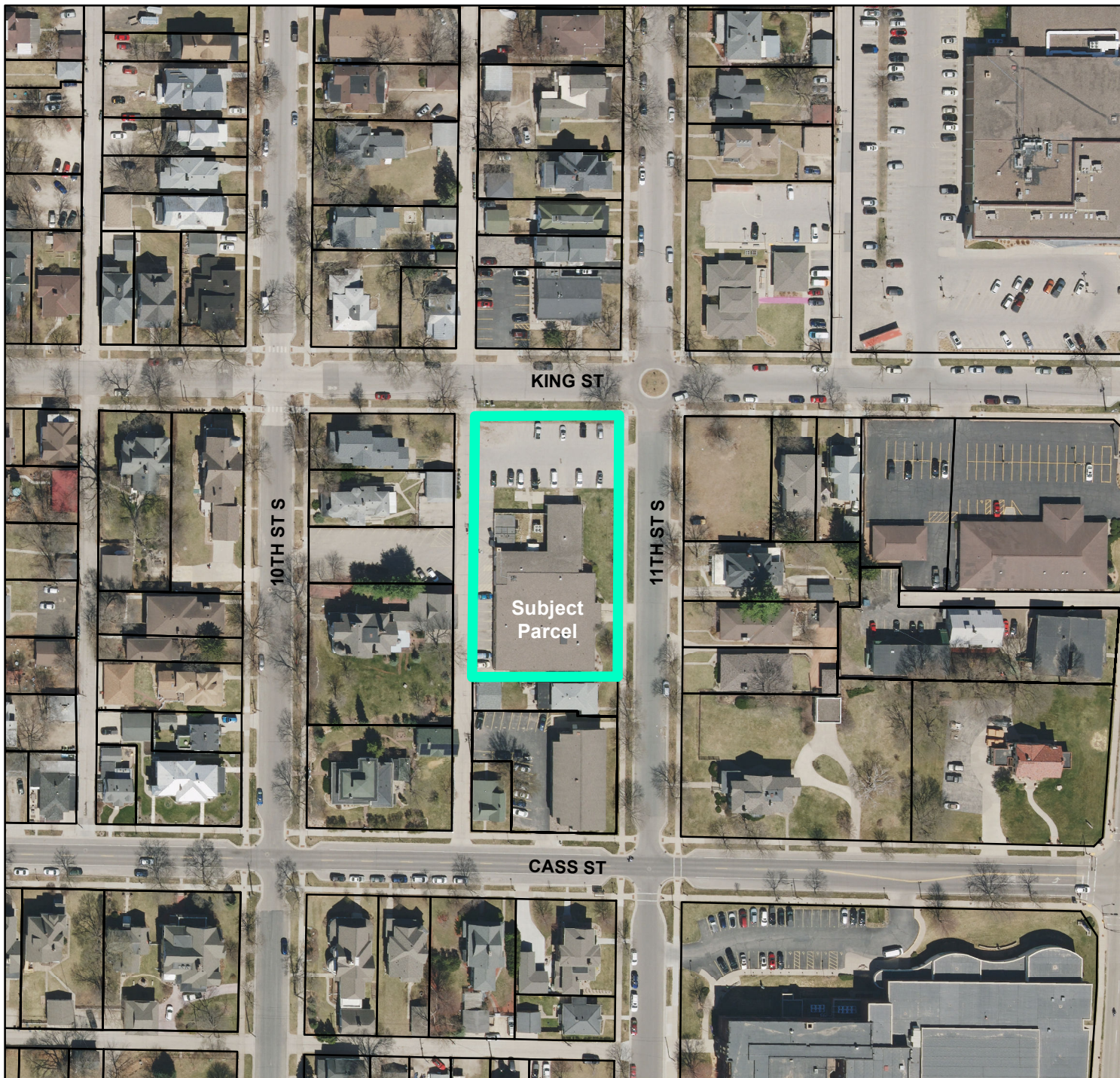
expressed their concern over what uses/services may end up being provided in the future. This concern is also why staff suggested this zoning district as it provided a means for the applicant to transparently list of all the services they intend to provide. The applicant took it a step further and stated in their application some services/activities they would NOT provide to address these concerns from surrounding neighbors. If approved, any services not listed that the applicant would like to provide will require the applicant to come back through the zoning process.

Another major concern was regarding the installation of solar panels on the roof of the building. The concerns largely were regarding the possibility of glare from the solar panels and affecting the surrounding properties. The City looked into this concern when evaluating the installation of solar panels on Fire Station #2 and possible glare to any adjacent residence halls. It was determined that most solar facilities use PV modules to generate electricity. PV modules use non-reflective glass and are designed to absorb rather than reflect the light that hits the panels to convert solar energy into electricity. PV modules are generally less reflective than windows and are installed at numerous airports. The best strategy for the applicant is to model their proposed PV system as if it were installing it on the rooftop on an airport terminal.

The applicant is requesting the zoning change for them to provide some additional services and for their entire operation to be considered a permitted use so they can make a substantial investment into the building for interior improvements and to add solar panels. Additionally, this zoning request provides a transparent list of services and activities to be conducted on the property between the owner and the community. Staff would have evaluated this zoning differently in accordance with adopted plans if the applicant was not already operating this facility on the property.

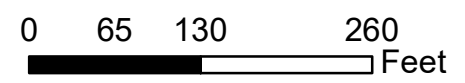
**This item is recommended for approval.**

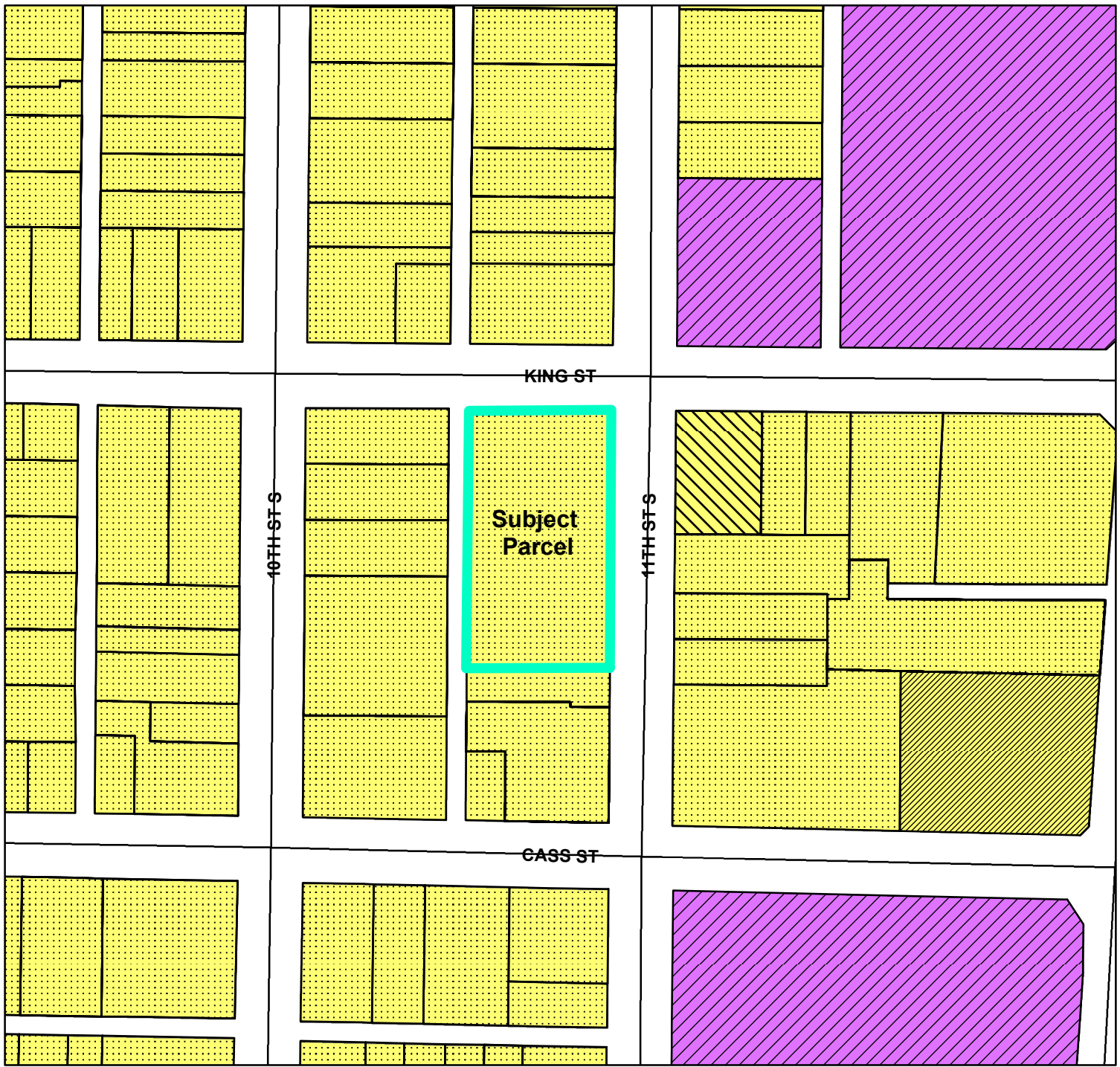
**Routing J&A 3.5.2024**





# 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
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-  City Limits
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