

Resolution modifying the Conditions of Approval for the Conditional Use Permit for the Fenigor Group, LLC project at 500 Prospect Street, 513 Harvey Street and a parcel on Island Street (17-10213-091).

AMENDED RESOLUTION

WHEREAS, the Fenigor Group LLC has requested consideration of the conditions approved as part of the Conditional Use Permit, 15-0584 for the properties at 500 Prospect Street, 513 Harvey Street and a parcel on Island Street (17-10213-091), and

WHEREAS, approved conditions require all conditions be met before any residential occupancy, and

WHEREAS, the applicant has indicated in their correspondence dated February 5, 2016 that a "reasonable time of leniency" be granted to allow the developer partial occupancy of the residential units, and

WHEREAS, the developer has indicated the need for extended time to secure a portion of the property known as the "Reinhart Foods Lot" in order to complete the required offstreet parking, and

WHEREAS, the developer has indicated they have established sufficient off street parking to occupy 22 units,

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of La Crosse that it hereby amends the Resolution approving the above-stated Conditional Use Permit to adjust condition # 10 to state: *That no occupancy permit shall be issued for any residential portion of the building until all of the above conditions have been met except that for each phase of occupancy, city staff may permit occupancy upon sufficient inspection and if each phase of occupancy is satisfied for off street parking and either the landscaping is complete or a performance surety, bond or letter of credit is on file for any remaining landscape improvements, provided full and complete of occupancy approval by the Department of Building and Safety.*

BE IT FURTHER RESOLVED that the following conditions must be met prior to approval of the amendment of the conditional use permit requirements:

1. Owner-Developer must provide a map of paved, striped and properly dimension off street parking stalls designated for the units to be occupied.
2. Owner'Developer provide a schedule for completion of the remaining conditions.
3. Owner-Developer provide a performance surety for all outstanding parking and landscape improvements for review and approval of the Planning Department.
4. No Occupancy Permit is to be granted until the structure passes final building inspection by the City including providing a signed agreement between the Fenigor Group and Pearl Street Brewery for a solution to the common wall penetration issues with Pearl Street Brewery.

BE IT FURTHER RESOLVED, that the ~~Interim~~ Director of Planning & Development, the Mayor, City Clerk and Finance Director are hereby authorized to take any and all steps to effectuate this resolution.

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*I, Teri Lehrke, certify that this resolution was duly and officially adopted by the Common Council of the City of La Crosse on April 14, 2016.*



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*Teri Lehrke, City Clerk  
City of La Crosse, Wisconsin*