



PLANNING AND DEVELOPMENT

400 LA CROSSE STREET | LA CROSSE, WI 54601 | P: (608) 789-7512

November 17, 2023

NOTICE OF REQUEST TO AMEND DECLARATION OF PROTECTIVE COVENANTS FOR THE LA CROSSE INTERNATIONAL BUSINESS PARK, LA CROSSE, WI

Dear Registered Agent of Lot Owner,

The City of La Crosse has received a request to amend the Declaration of Protective Covenants from Advanced Fiber Pro, owner of Lots 22, 23, & 24 at 21970 Luoyang Ave in the International Business Park.

Per Section 14 of the Covenants regarding Term and Amendment of Covenants:

B. AMENDMENT OF COVENANTS.

These Covenants may, at any time, be terminated, extended, modified or amended, with a written affirmative vote of fifty-one percent (51%) of the total number of property owners in the Park, provided, however, that, as long as Declarant owns any portion of the Park, no such termination, extension, modification or amendment shall be effective without the written approval of Declarant and provided that these Covenants may not be terminated, extended, modified or amended without the consent of the City of La Crosse and County of La Crosse.

This letter is being sent to the registered agent of the lot owner. If the address of the registered agent differs from the property address, a copy of this letter is also being sent to the property address to make sure it is received. Only the owners' agent is allowed to vote unless a letter assigning a representative is also included in the response.

You have one vote per lot owned. Also, you have until **Monday, December 11th** to submit your final vote on the proposed change. Each vote filed shall be considered a public record and may be disclosed upon request after the appropriate analysis under the Public Records Law. The failure of an agent to file the vote by this deadline shall mean that it shall not count toward any affirmative 51% threshold required to change the Protective Covenants.

Below are the proposed amendment changes, underlined and in red:

Section 5C LOCATION.

No parking shall be permitted within forty (40) feet of a dedicated or reserved public street, unless expressly permitted herein, nor within five (5) feet of the side property lines of any Site. Except for lot 22 which allows for a screened parking lot, as is described in Section 5D herein, within forty (40) feet of a dedicated or reserved public street on the west side of the northern building.

Section 4G FREIGHT HANDLING.

All freight shall be handled on those sides of a building that do not face a street. Outside loading docks shall not be constructed facing any street unless the face of the truck unloading is one hundred (100) feet from the street line or the lot is bounded by two (2) or more streets in which case an exception may be made at the sole discretion of the Plan Commission or Site Plan Review Committee. Except for lot 22, which allows for the west facing loading dock on the northern building to be 80 feet from the street line, and to allow for trucks to be in the dedicated or reserved area only during loading and unloading.

Section 4K BUILDING MATERIALS.

One hundred percent (100%) of the permanent walls of any building when facing a street and extending twenty (20) feet on either side shall be faced with decorative masonry approved by the Plan Commission or Site Plan Review Committee. For the purpose of this restriction standard, light weight or cinder concrete block are not considered decorative masonry. Dry-vit or other plaster products and decorative brick wainscoting are not considered decorative masonry, however, dry-vit and decorative masonry may be combined up to a 50/50 ratio to make up the one hundred percent (100%) of the building frontage requirement. The use of glass in lieu of brick on the front of buildings is permitted where office space is provided. Except as otherwise provided herein, the sides and rear of all buildings shall be of masonry brick or decorative concrete panels for the first eight (8) feet from the ground and the remainder of the building shall be of any material approved by the Plan Commission or Site Plan Review Committee. Where concrete block masonry is used, it shall be painted with two (2) coats of paint or shall be of decorative pattern block or other decorative treatment of plain block approved by the Plan Commission or Site Plan Review Committee. All faces of all buildings must be kept in good repair and appearance at all times. Except for the northern building on lot 22 which removes the decorative materials requirement on the part of the building above the west facing office area and the eight (8) feet from ground requirement on the sides and rear of the building, instead allowing for two-toned steel siding.


Reasons for Request:

Advanced Fiber Products is continuing to experience ongoing business growth and needs to expand its facility to accommodate this. Given the restrictions of the site itself, the above covenant amendments are needed to allow for the facility expansion. The City Planning Department and Advanced Fiber Pro have the proposed site and architectural plans available to review upon request.

On behalf of Jon Nommensen, owner of Lot(s) 22, 23, 24, I hereby consent to the proposed amendment to the Declaration of Protective Covenants for the La Crosse International Business Park, La Crosse, WI.

Dated 11/17/23

Signature:

A handwritten signature in black ink, appearing to read "Jon Nommensen", written over a horizontal line.

Printed Name: Jon Nommensen

Title: Owner, President & CEO

This vote must be received by the City Clerk via email (elsenn@cityoflacrosse.org) or mail by December 11th, 2023.

City Clerk
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601

Please also send a copy to me via email at emsliej@cityoflacrosse.org. I can also be contacted at 608-789-7393 with any comments or questions regarding this amendment application.

Regards,

Julie Emslie
Economic Development Administrator