

April 30<sup>th</sup>, 2020

Andrea Schnick  
City of La Crosse, WI

**RE: Proposed NS drainage easement for FedEx Ground Facility**

Dear Andrea Schnick,

The purpose of this letter is to formally and respectfully request that the City of La Crosse grant Scannell Properties a permanent drainage easement along our proposed shared property line. This drainage easement will allow us to route storm water from the northern half of our site to our south west corner, where it would then convey to the county pond via our requested EW drainage easement. Unlike the EW drainage way, we always intended to locate this drainage way within our property limits. However, in an effort to accommodate the city when they were pursuing a development with La Crosse Seed, we agreed to revise our site plan and squeeze our development into a much smaller area (our site reduced from 15 to 12.93 acres). It wasn't until our civil engineering was substantially underway that we realized that the reduced site size made it impossible for us to fit our intended drainage way completely within our property limits. Therefore, we're requesting that the city provide us with a very small drainage easement (12.5') onto the adjacent site so we can construct this drainage way as intended. Below is a list of reasons why I think this easement should be granted.

1. The only reason we need this easement is because of our efforts to be accommodating to the city during our PSA negotiation and subsequent design phase.
2. We will pay 100% of the cost to construct and maintain this drainage way
3. The drainage easement itself would only be 12.5' wide, which means 100% of the easement would be confined within the adjacent lot's building setback (so there would be no impact on

the buildable portion of the property). Only 7.5' of the easement extends outside of the parking setback, so there's a very minimal impact on parking availability.

4. This drainage way would provide prospective developers with an existing and free method of conveying storm water from the east side of their property to the county pond.
5. Some may ask why we don't simply purchase this additional 12.5' now that the La Crosse Seed development hasn't gone idle. My response to that is:
  - a. Perhaps La Crosse Seed will be ready to move forward in the near future, so extending our property line could create issues for them.
  - b. Extending our property line by 12.5' would reduce the developability of the adjacent lot far more than this easement would. For example:
    - i. Pushing the property line 12.5' to the west would also push the building setback 12.5' to the west, which would reduce the buildable area of the residual lot. The proposed easement doesn't reduce that area.
    - ii. Similarly, the parking setback would also shift 12.5' further to the west, which would increase the lost parking area by 5'.
    - iii. Pushing the property line 12.5' to the west would remove 8,668 SF of area from the adjacent lot that would otherwise qualify as open/green space. Therefore, any proposed developments on that adjacent lot would have a harder time satisfying green space requirements and coverage limits.
    - iv. Prospective developers would not be able to utilize our drainage way, thereby reducing their storm water design options and increasing their costs.
6. Some may say that our development should install an underground storm pipe on our property rather than construct a drainage way. This would create an unfair financial burden for this development for a few reasons:
  - a. Again, we're only in this situation due to our efforts to accommodate the city and it would be unfair to penalize us for those good faith efforts.
  - b. A large portion of the storm water that we're trying to route through this easement is not being generated on our site. It's storm water that's flowing down from HWY 16. This water needs to get to the south side of our site somehow and I don't think it's fair to place additional financial burden onto us by forcing us to pipe it at great cost.

In light of the above reasoning, it's our sincere hope that the City will agree to provide us with the requested easement.

Sincerely,



Tom McCary – Development Manager

Scannell Properties