

CONDITIONAL USE PERMIT APPLICATION

Applicant (name and address):

Las Margaritas Restaurant, LLC
4502 Markle Rd. LaCrosse WI 54601 doing business at 115 Fifth Ave S. LaCrosse WI 54601

Owner of property (name and address), if different than Applicant:

Exchange Building LLC, Brad Frahm, Member
205 Fifth Ave S, LaCrosse WI 54601

Scenic Center LLC C/O BMA Property management LLC

Architect (name and address), if applicable:

N/A

Professional Engineer (name and address), if applicable:

N/A

Contractor (name and address), if applicable:

N/A

Address(es) of subject parcel(s): 115 Fifth Ave S. LaCrosse WI 54601

Tax Parcel Number(s): 17-20036-70

Legal Description (must be a recordable legal description; see Requirements):

Abbreviated legal description is attached

Zoning District Classification: Commercial - C2

A Conditional Use Permit is required per La Crosse Municipal Code Sec. 115-359

If the use is defined in Sec.:

- 115-347(6)(c)(1) or (2), see "" on the next page.
- 115-353 or 356, see "" on the next page.

Is the property/structure listed on the local register of historic places? Yes _____ No

Description of subject site and CURRENT use: Premises located in first floor of 115 Fifth Ave S, LaCrosse, WI. Consists of dining room seating and kitchen. The premises has been used and operated as a restaurant for several years.

Description of PROPOSED site and operation/use (detailed plan of the proposed site):

Mexican restaurant which serves food and alcoholic beverages.

Permission to apply for combination "Class B" Beer & Lignor

Type of Structure proposed: Mexican restaurant

Number of current employees, if applicable: N/A

Number of proposed employees, if applicable: 5-10

Number of current off-street parking spaces: N/A

Number of proposed off-street parking spaces: N/A

* If the proposed use is defined in Sec. 115-347(6)(c)

_____ (1) and is proposed to have 3 or more employees at one time, a 500-foot notification is required and off-street parking shall be provided. Will there be 3 or more employees at one time? Y__ N__

or

_____ (2) a 500-foot notification is required and off-street parking is required.

Where the side or rear lot line abuts or is located across an alley from any residential zoning district, abutting residential property owners shall be notified of the privacy fence provision by the City Clerk.

Any Conditional Use Permit required pursuant Sec. 115-347(6) shall be recorded with the La Crosse County Register of Deeds at the owner's expense.

CITY OF LA CROSSE, WI

General Billing - 164041 - 2019

006192-0084 Courtney... 03/07/2019 03:31PM

196925 - LAS MARGARITAS RESTAURANT LLC

If the proposed use is defined in Sec. 115-353 or 115-356, abutting property owners shall be notified of the privacy fence provision by the City Clerk.

Check here if proposed operation or use will be a parking lot: _____

Payment Amount: Check here if proposed operation or use will be green space: _____

Applicant/property owner may be subject to a payment in lieu of taxes for a period of twenty (20) years or until the property tax valuation of any new structure or improvements is equal to or greater than the base year valuation of the improvement or structure being demolished.

In accordance with Sec. 115-356 of the La Crosse Municipal Code, a Conditional Use Permit is required for demolition or moving permits if the application does not include plans for a replacement structure of equal or greater value. Any such replacement structure shall be completed within two (2) years of the issuance of any demolition or moving permit.

If the above paragraph is applicable, the Conditional Use Permit shall be recorded with the La Crosse County Register of Deeds and should the applicant not complete the replacement structure of equal or greater value within two (2) years of the issuance of any demolition/moving permit, the applicant or property owner shall be subject to a forfeiture of up to \$5,000 per day for each day not completed.

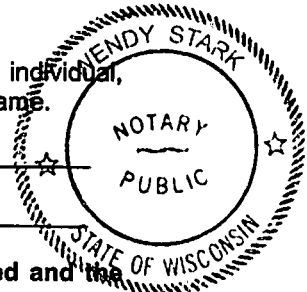
CERTIFICATION: I hereby certify that I am the owner of the subject parcel(s) or authorized agent and that I have read and understand the content of this application and that the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Ignacio Morales 3/7/19
(signature) (date)
608-397-1148
(telephone) (email)

STATE OF WISCONSIN)
)ss.
COUNTY OF LA CROSSE)

Personally appeared before me this 7th day of March, 2019, the above named individual, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Wendy Stark
Notary Public
My Commission Expires: 8-14-20



Applicant shall, before filing with the City Clerk's Office, have this application reviewed and the information verified by the Director of Planning & Development.

Review was made on the 7th day of March, 2019.

Signed: [Signature] Senior Planner
Director of Planning & Development

AFFIDAVIT OF OWNER

STATE OF Wisconsin)
) ss
COUNTY OF LaCrosse)

The undersigned, Scenic Center LLC by Brad Frahm being duly
(owner of subject parcel(s) for Conditional Use)

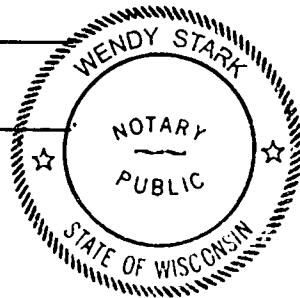
sworn states:

1. That the undersigned is an adult resident of the City of LaCrosse,
State of Wisconsin.
2. That the undersigned is a/the legal owner of the property located at:
115 5th Ave S., LaCrosse WI 54601
(address of subject parcel for Conditional Use)
3. By signing this affidavit, the undersigned property owner authorizes the application for a conditional use permit/district change or amendment (circle one) for said property.

Brad Frahm
Property Owner Scenic Center LLC
By: Brad Frahm, Member

Subscribed and sworn to before me this 7th day of March, 2019.

Wendy Stark
Wendy Stark
Notary Public
My Commission expires 8-14-20



March 7, 2019

TO WHOM IT MAY CONCERN:

Please be advised that Ignacio Morales is the sole member and owner of Las Margaritas Restaurant LLC that is applying for the combination "Class B" Beer and Liquor License. This is the same owner and same location as El Rodeo Mexican Restaurant LLC (the Company surrendering the liquor license), just a different company name.

Ignacio Morales
4502 Markle Road
La Crosse, WI 54601
(608) 397-1148



State Bar of Wisconsin Form 1 - 2003
WARRANTY DEED

Document Number

Document Title

1677257
LACROSSE COUNTY
REGISTER OF DEEDS
CHERYL A. MCBRIDE

RECORDED ON
06/21/2016 03:16PM
REC FEE: 30.00
TRANSFER FEE: 3750.00
EXEMPT #:
PAGES: 1

THIS DEED made, between Masrud/McGuire, LLC, a Wisconsin limited liability company, ("Grantor," whether one or more), Scenic Center, LLC, a Wisconsin limited liability company, ("Grantee," whether one or more).

Grantor, for valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests in La Crosse County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Part of Lot 1, all of Lot 2, and part of Lot 3 in Block 18 of C. & F. J. Dunn, H. L. Dousman & Peter Cameron's Addition to the Town of La Crosse, in the City of La Crosse, La Crosse County, Wisconsin, described as follows: Commencing at the Southeast corner of said Lot 3; thence North along the East line thereof 54.3 feet to the South wall of the building known as the Frank J. Hoeschler Building, and the point of beginning of this description: Thence continuing North along the East line of said Lots 3, 2 and 1 a distance of 74.55 feet, more or less, to a stone of the Southeast corner of an East-West alley as platted in Stirnemann's Addition; thence West along the South line of said alley to the West line of said Lot 1; thence South along the West line of said Lots 1, 2, and 3 to the Southwest corner of the Frank J. Hoeschler Building at a point 45.21 feet, more or less, North of the Southwest corner of said Lot 3; thence East along the South line of said building, parallel with the South line of said Lot 3, a distance of 122.3 feet, more or less, to a corner of said building; thence North along an East wall of said building 6.75 feet; thence East along the South wall of said building 30.4 feet, more or less, to the point of beginning.

*198

Recording Area

Name and Return Address

New Castle Title
750 N 3rd Street, Suite B
La Crosse, WI 54601

83100

17-20036-70

Parcel Identification Number
This is not homestead property

Grantor warrants that the title to the Property is good, indefeasible in fee simple and clear of encumbrances except: subject to easements, encumbrances and rights of way of record.

Dated: June 15, 2016

MASRUD/MCGUIRE, LLC,
a Wisconsin limited liability company

(SEAL) By: [Signature] (SEAL)
Name: Richard Masrud
Title: Member

(SEAL) By: [Signature] (SEAL)
Patrick K. McGuire
Title: Member

AUTHENTICATION

Signature(s) _____

authenticated on _____

STATE OF WISCONSIN

LA CROSSE COUNTY

Personally came before me on June 15 2016
the above-named Richard Masrud & Patrick K. McGuire

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Signature]
Dawn Faherty
Notary Public, State of Wisconsin

My Commission (is permanent)(expires: 3-10-18)

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT WAS DRAFTED BY:

Attorney Sean O'Flaherty
201 Main Street, 10th Fl. La Crosse, WI 54601

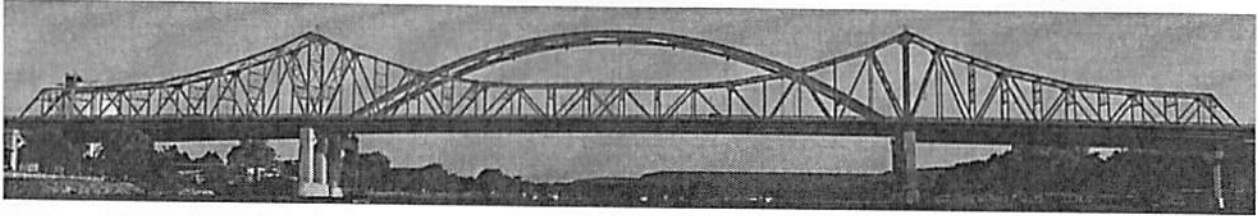
(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

STATE BAR OF WISCONSIN

FORM No. 1-2003



[Parcel Search](#) | [Permit Search](#)

115 5TH AVE S LA CROSSE

Parcel:	17-20036-70	Internal ID:	28036
Municipality:	City of La Crosse	Record Status:	Current

Print View

Parcel Information:

Parcel:	17-20036-70
Internal ID:	28036
Municipality:	City of La Crosse
Record Status:	Current
On Current Tax Roll:	Yes
Total Acreage:	0.290
Township:	15
Range:	07
Section:	06
Qtr:	NE-NE

Parcel

Taxes

Outstanding Taxes

Assessments

Deeds

Permits

History

Legal Description:

C & F J DUNN, H L DOUSMAN & PETER CAMERONS ADDITION ALL LOT 2 & PRT LOTS 1 & 3 BLOCK 18 COM SE COR LOT 3 N ALG E LN 54.3FT TO POB N 74.55FT M/L TO SE COR OF E/W ALLEY W ALG S LN ALLEY TO W LN LOT 1 S TO PT 45.21FT M/L N OF SW COR LOT 3 E 122.3FT M/L N 6.75FT E 30.4FT M/L TO POB (SCHNEIDER BLDG)

Property Addresses:

<u>Street Address</u>	<u>City(Postal)</u>
115 5TH AVE S	LA CROSSE
115 5TH AVE S STE M100	LA CROSSE
115 5TH AVE S STE B100	LA CROSSE
115 5TH AVE S STE B101	LA CROSSE
115 5TH AVE S STE B102	LA CROSSE
115 5TH AVE S STE B103	LA CROSSE
115 5TH AVE S STE B104	LA CROSSE
115 5TH AVE S STE 115 N	LA CROSSE
115 5TH AVE S STE 115 S	LA CROSSE
115 5TH AVE S STE 200	LA CROSSE
115 5TH AVE S STE 300	LA CROSSE
115 5TH AVE S STE 301	LA CROSSE
115 5TH AVE S STE 303 A	LA CROSSE
115 5TH AVE S STE 303 B	LA CROSSE
115 5TH AVE S STE 303 C	LA CROSSE
115 5TH AVE S STE 304	LA CROSSE
115 5TH AVE S STE 305	LA CROSSE
115 5TH AVE S STE 306	LA CROSSE
115 5TH AVE S STE 307	LA CROSSE
115 5TH AVE S STE 310	LA CROSSE
115 5TH AVE S STE 316	LA CROSSE
115 5TH AVE S STE 400	LA CROSSE
115 5TH AVE S STE 406	LA CROSSE
115 5TH AVE S STE 407	LA CROSSE
115 5TH AVE S STE 408	LA CROSSE
115 5TH AVE S STE 409	LA CROSSE
115 5TH AVE S STE 410	LA CROSSE
115 5TH AVE S STE 413	LA CROSSE
115 5TH AVE S STE 414	LA CROSSE
115 5TH AVE S STE 416	LA CROSSE
115 5TH AVE S STE 417	LA CROSSE

