

Report to the Manitowoc Plan Commission

Meeting Date: August 24, 2022

Request: PC 20-2022: River’s Bend Property Holdings, LLC; Request Assignment of a Conditional Use Permit, 960 S. Rapids Road

Existing Land Use for Subject Property: Institutional

Existing Zoning for Subject Property: R-6, Multiple Family

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North	Park / Open Space, Residential	HD High Density Residential & NA Natural Area (County Zoning)
South, East	Residential	R-4 Single and Two Family
West	Park / Open Space	P-1 Conservancy

Report: River’s Bend Property Holdings, LLC (Rivers Bend Holdings) is purchasing the real estate located at 960 S. Rapids Road which is currently owned by AAT RE 1 LLC. Rivers Bend Holdings will retain the current operator and maintain the current 100 bed nursing home being operated as River’s Bend Health & Rehabilitation Center. River’s Bend Holdings is requesting the CUP be assigned to the new ownership entity and certain conditions be amended to reflect the new ownership.

Currently there are two buildings 950 & 960 S. Rapids Road located on a single lot of record. Both buildings are covered under a single CUP that was issued in 2005. A condominium declaration overlays the property. The current owner of the 960 S. Rapids Road building is AAT RE 1 LLC (AAT) which has a 57.722% ownership of the common elements and Riverwood (Riverwood) Aid Propco, LLC (950 S. Rapids Road) owns 42.478% of the common elements. AAT is selling the 100 bed nursing facility to Rivers Bend Holdings. The Riverwood ownership stays the same and remains a 60 bed Residential Care Apartment Complex assisted living facility.

The current request will create a stand-alone CUP for the 960 S. Rapids Road building removing it from the 2005 CUP. The conditions for 950 S. Rapids Road facility will follow the conditions of the 2005 CUP.

Recommendation: Approve the assignment of the Conditional Use Permit to River’s Bend Property Holdings, LLC for up to a 100 bed nursing home located at 960 S. Rapids Road subject to the following conditions.

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP)
APPROVAL FOR RIVER'S BEND PROPERTY HOLDINGS, LLC
960 S. RAPIDS ROAD
9/19/2022

Re: PC20-2022: The CUP is granted to River's Bend Property Holdings, LLC (RIVER'S BEND) pursuant to Section 15.370(29) of the Manitowoc Municipal Code ("Code") for property located at 960 S. Rapids Road (Property"), and shall hereinafter serve as authorization for the location and operation of a 100 bed Nursing Home, Adult Family Home, CBRF or similar Community Living Arrangement. The area of the CUP is identified on the attached map and shall hereinafter be referred to as the "CUP Area". The CUP Area is defined as Tax Parcel # 826-103-024, 960 S. Rapids Road.

NOTE: The 960 S. Rapids Road, Tax parcel # 826-103-024 is unit 2 of the Riverwood Estates Condominium owning an undivided 57.522% interest in the Common Elements. This CUP is for the 960 S. Rapids Road building. 950 S. Rapids Road, parcel # 826-103-024 will be permitted under a previously issued 2005 CUP.

RIVER'S BEND is required to comply with the following conditions and the information provided in their application packet:

1. The CUP, to RIVER'S BEND shall not become effective and binding until the Common Council approves the CUP as outlined herein and all applicable permits, licenses and authorizations are in place.
2. RIVER'S BEND shall have the right to assign or transfer its interest in the CUP to any party and will not need written approval of the Manitowoc City Plan Commission and Manitowoc Common Council.
3. Compliance with all federal, state and local regulations, licensing and Code requirements.
4. RIVER'S BEND shall be subject to a maximum capacity of 100 beds unless amended by the Plan Commission and Common Council. An increase in the number beds shall require an amendment to the CUP.
5. Non-compliance with the terms of the CUP may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the CUP.
6. The CUP shall be reviewed by the Plan Commission and Common Council effective the date any License or certification granted to RIVER'S BEND by the State or other issuing entity is closed, denied, revoked or terminated.

August 12, 2022

City of Manitowoc Department of Building Inspection
City Hall
900 Quay Street
Manitowoc, WI 54220

To the City of Manitowoc:

We are writing to you on behalf of our client River's Bend Property Holdings, LLC ("River's Bend") to request an assignment of the conditional use permit ("CUP") for 960 S. Rapids Road, the current location of River's Bend Health Services (the "Facility"), to River's Bend. We would also appreciate if the limitations on assignment of the CUP could be removed so that further consent is not needed for any future transactions. In addition, it is our understanding that the current CUP covers both the Facility and an adjoining site at 950 S. Rapids Road, and we further request that as part of this assignment the CUP is separated so that each of the Facility and the adjoining site will have its own self-standing CUP.

This request is in connection with River's Bend's proposed acquisition of real estate relating to the Facility from AAT RE 1 LLC. River's Bend plans to keep the current operator of the Facility in place and as such there will be no change to operating licensure for the Facility for 100 beds.

The principals of River's Bend have extensive experience in both ownership and operations of elder care facilities, and have a deep understanding of the applicable regulatory requirements, property needs and resident needs. They are also specifically familiar with the Manitowoc community, having been involved with this facility as the sublandlord for almost five years.

Thank you for your consideration of this matter. Should you have any questions, please feel free to contact us at (847) 745-6938.

Respectfully,

GUTNICKI LLP



Town of
Manitowoc Rapids

NE 1/4
Sec 26
T19N, R23E

TR 2-1

950 S. Rapids Rd.

TR 1

**Request for a Conditional
Use Permit**

960 S. Rapids Rd.

S. RAPIDS RD.

TR 1

City Limits

TR 2

1/4 Section Line **CUSTER LN**

SE 1/4
Sec 26
T19N, R23E

HESSEL CT.


City of
Manitowoc



CONDITIONAL USE PERMIT

City of Manitowoc, WI

0 100 200
Feet

 Area of Conditional Use Permit

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 8/16/2022

O:\Planning\PC Plan Commission\PC_CUP\2022\PC 20-2022 Rivers Bend CUP Assignment\Maps\PC 20-2022 CUP.mxd

PC 20-2022
960 S. Rapids Rd.

Manitowoc City Plan Commission

Town of
Manitowoc Rapids

NE 1/4
Sec 26
T19N, R23E

950 S. Rapids Rd.

R-6

Request for a Conditional
Use Permit

960 S. Rapids Rd.

S-RAPIDS RD.

City Limits

P-1

SE 1/4
Sec 26
T19N, R23E

1/4 Section Line
CUSTER LN

R-4

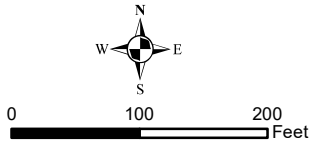
HESSEL CT.


City of
Manitowoc

I-1

CONDITIONAL USE PERMIT

City of Manitowoc, WI



 Area of Conditional Use Permit

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PC 20-2022
960 S. Rapids Rd.

Manitowoc City Plan Commission