Report to the Manitowoc Plan Commission

Date: August 26, 2015

Request: PC 26-2015: Midwest Assisted Living Partners II, LLC (Midwest) Tender Reflections – Manitowoc Memory Care request for a Conditional Use Permit to locate up to a 72 bed Community Based Residential Facility west of S.T.H. 42 and south of U.S.H. 151 (Calumet Avenue) in a"R-5" and "B-3" Zoning District.

Reason for Request: Tender Reflections is planning to construct up to a 72 Bed Community Based Residential Facility (CBRF) in an area generally located at the southwest corner of S.T.H. 42 and U.S.H. 151 (Calumet Avenue). CBRF's for 16 or more individuals require the issuance of a Conditional Use Permit pursuant to 15.370(27).

Existing Land Use: Vacant Farm Field

Existing Zoning/CUP Requirements: The 8.5 +/- acre project area has split zoning "R-5" Low Density Multiple Family and "B-3" General Business; CBRF's for 16 or more individuals in both zoning districts require the issuance of a CUP. The zoning district boundary can be adjusted when the City does the comprehensive zoning update which is approximately every 10 years.

Under a Conditional Use Permit pursuant to Section 15.370(27), the Commission and Council must determine if the proposed use:

- A. is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. Will have a minimal effect or no effect on the surrounding property values.

The Commission and Council can affix conditions to the CUP to provide assurances that the proposed use will remain in conformity with the criteria under subsection (27)c as well as compliance with regulations of the particular zoning district which the conditional use would be located.

Comprehensive Plan: The 20 year future land use map shows the area as Planned Mixed Use which projects future uses to be a blend of "community business, mixed residential, office, light industrial and Institutional and Community Services" land uses/

Consistency Analysis

The proposed use is consistent with the 20 future land use map.

Report: Tender Reflections has an accepted offer to purchase approximately 8.5 acres +/- of land from the Florence Pleuss Revocable Trust. The area to be purchased is bounded by the City Limits to the

south, S.T.H. 42 to the east, an existing east west official map street to the north (proposed street is centered on an existing sanitary interceptor sewer) and private lands to the west.

Tender Reflections is planning a 3 phase building project. The initial single story building is 25,979 sf which will have 32 units with a total of 36 beds providing long term care for seniors suffering with Alzheimer's, dementia and memory related illnesses. Future phases would allow up to an additional 36 beds serving up to a maximum of 72 beds. Approximately 25 jobs will be created as part of the project.

A certified survey map will be coming in the near future creating the lot; and as part of the CSM the existing east west official map street will be dedicated. The concept plan shows a driveway coming directly off of S.T.H.; 42 the location was approved by D.O.T. The City will require that the driveway be relocated from accessing S.T.H. 42 and be relocated to the future east west street after it's constructed. The D.O.T. is aware of this and the applicant has agreed to relocate the driveway in the future.

Compliance Analysis: A CBRF is included in the definition of a "Community Living Arrangement" under Wis. Stat. § 62.23(7)(i). A CBRF is specifically defined under Ch. 50 "Uniform Licensure" as a facility for 5+ adults who are not related, and do not require care above intermediate level nursing care reside and receive care, treatment or services that are above the level of room and board, but include no more than 3 hours of nursing care per week per resident. CBRF's are further regulated under Department of Health Services (DHS) 83 which details regulations and standards for the care, treatment and services, as well as the health, rights and welfare of residents of a CBRF.

The American with Disabilities Act and Federal Fair Housing Act prohibit discrimination in housing because of a handicap or disability. The federal courts have ruled that the Fair Housing Act and Americans with Disabilities Act preempt any conflicting laws.

NOTE to the Plan Commission: The Plan Commission requested that a note be placed on the public notice indicating that the Commission and Common Council must follow Federal Fair Housing and Americans with Disabilities Act requirements; said note was incorporated into the public informational notice.

General Background Information: As of July 21, 2015 there are 25 Community Based Residential Facilities (CBRF = 5 beds or more) with a total of 398 beds and 7 Adult Family Homes (AFH = 3 or 4 beds) with a total of 28 beds for a total of 35 Community Living Arrangements (CBRFs + AFH = CLAs) for a total 426 beds.

The proposed use is not within 2,500 feet of an existing Community Living Arrangement.

Public Comments: Notices were mailed out to the property owners within 200 feet of the subject and at the time of this report, no public comments were received.

Recommendation: The Community Development Department recommends approval of the Conditional Use Permit pursuant to the attached conditions. (see next page)

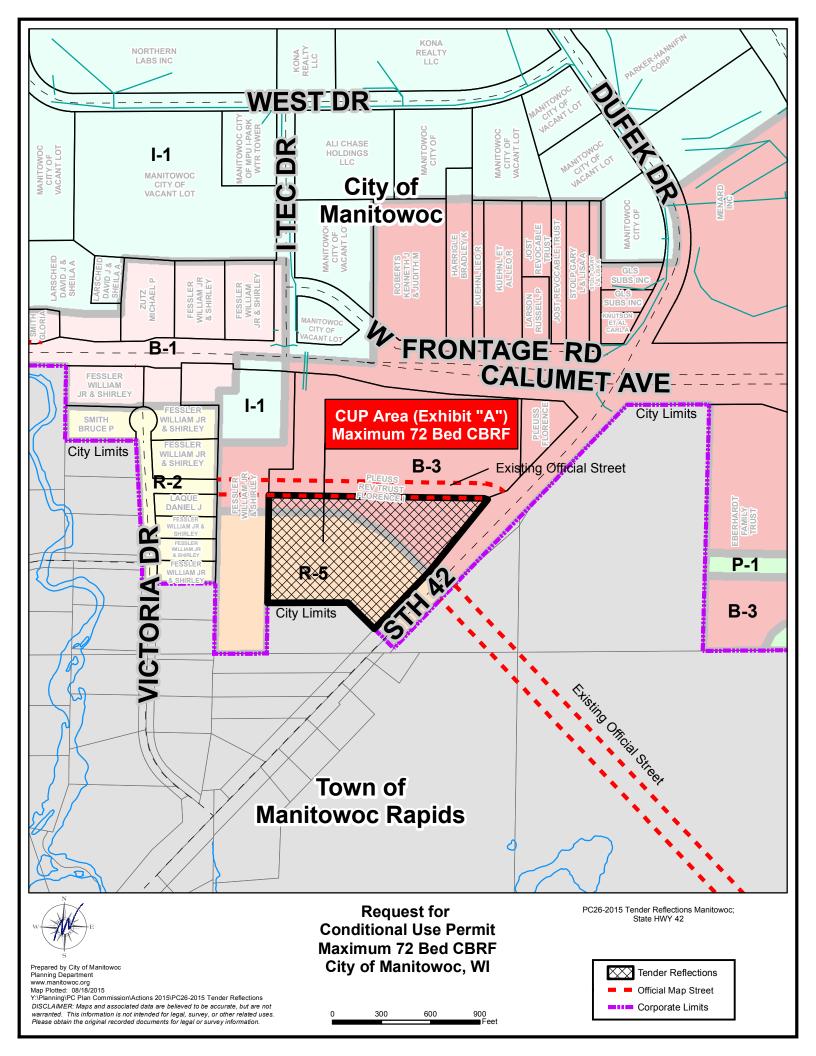
REQUIREMENTS FOR CONDITIONAL USE PERMIT (CUP) APPROVAL FOR MIDWEST ASSISTED LIVING PARTNERS II, LLC d.b.a TENDER REFLECTIONS – MANITOWOC MEMORY CARE LOCATED AT THE SOUTHWEST CORNER S.T.H. 42 AND U.S.H. 151 (Calumet Avenue) 8/26/2015

Re: PC26-2015:The CUP is granted exclusively to Midwest Assisted Living Partners II, LLC d.b.a. Tender Reflections – Manitowoc Memory Care (hereinafter "Owner", "Owners" or "Tender Reflections") pursuant to Sections 15.170(3)(f) and 15.290(3)(g) of the Manitowoc Municipal Code (hereinafter "Code"), as may be amended from time to time, for the land and building at the southwest corner of S.T.H. 42 and U.S.H. 151/Calumet Avenue, and shall hereinafter serve as authorization for the location and operation of a Community Based Residential Facility ("CBRF") with a total capacity of not more than 72 individuals in the "CUP Area", as identified and highlighted on the attached map.

The Owners are required to comply with the following conditions:

- 1. If Tender Reflections does not secure CBRF licensing (the "License") from the State of Wisconsin, Department of Health Services (the "State") by December 31, 2016, this CUP is void and terminates effective January 1, 2017. Tender Reflectionse to provide the City Planner written documentation evidencing the issuance of the License for the 72-person CBRF in the CUP Area. In the event this license is not secured by January 1, 2017, Tender Reflections shall be required to re-apply to the City for a CUP.
- 2. The CUP authorizing the location and operation of a CBRF in the CUP Area shall not be approved until the Common Council approves the CUP as outlined herein, and shall not become effective until the latest date that all of the following have been approved and completed: (i) City Council approves the issuance of the CUP, (ii) the date that Tender Reflections takes title to the CUP Area, (iii) Tender Reflections completes all conditions related to the approval of a Site Plan and Development Agreement.
- This CUP shall be terminated in the event Tender Reflections fails to acquire the CUP
 Area pursuant to the May 31, 2015 "Vacant Land Offer to Purchase" on file in the
 Community Development Department.
- This CUP does not waive or pre-empt any requirements under any building or zoning codes or any other requirements of any municipal, state or federal regulation, statute or law.
- 5. When the existing east/west official map street which is along the north line of the CUP Area is constructed the Owner shall then be required to relocate the private driveway accessing the CUP Area from S.T.H. 42 to the future road at the owner's expense. All access driveways servicing the CUP Area off of S.T.H. 42 shall be removed and restored pursuant to City of Manitowoc and Wis D.O.T. standards.
- 6. In the event the property comprising the CUP Area is sold or leased to a party other than an entity in which the Owner has a controlling interest, this CUP shall terminate effective the date of conveyance, unless the Owner is permitted to occupy the CUP Area under the new ownership.

- 7. The CUP shall not be assigned, transferred, sublet or conveyed without the review and recommendation by the City Plan Commission, and approval by the Manitowoc Common Council.
- 8. 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.
- 9. The CUP shall automatically terminate effective the date any License or certification granted to the Owner by the State, or any State-approved license which is assigned or transferred to a City-approved assignee or licensee for the CBRF at the CUP Area is closed, denied, revoked, or terminated by either the Owner or the State.





July 22, 2015

Planning Department City of Manitowoc 900 Quay Street Manitowoc, WI 54220

Architectural Narrative for Manitowoc Memory Care – Tender Reflections

The following is a Statement of Design Intent

Building Function:

Tender Reflections is a 32 unit/36 bed CBRF, class CNA, memory care facility. The facility will provide long term care for seniors suffering with Alzheimer's, Dementia and memory related illnesses.

Size and Construction:

The building is an I-2 CBRF classification with a Type VA construction type. Type VA is wood framed with wood trusses and has bearing walls and ceilings that are of 1 hour fire-rated construction. It has a complete NFPA 13 fire suppression system (sprinkler). The one-story building footprint is 25,979 square feet including an outdoor covered front porch. The floor plan and site plan are designed for two future neighborhood wings that will include 36 additional beds.

Interior Concept:

The floor plan is an open concept allowing maximum wandering space with both public and private gathering space. Amenities include a front porch, a back patio, great room with fireplace, activity kitchen, private dining, community dining, commercial kitchen, relaxation room, and beauty salon. The facility is divided into two distinct neighborhoods by the center common area. Each neighborhood has 12 private rooms, 2 double rooms, and 2 ADA accessible rooms. Every room has a private toilet room, shower, and individual heating and cooling control to ensure comfort for the occupants. In addition, neighborhoods have medication rooms, caregiver stations, a public toilet room and a common living and activity room. The interiors are a warm and rich color pallet that calms the residents with dark wood, warm neutrals, and softly patterned floor coverings.

Exterior Concept:

The exterior design is classic American, front porch architecture. It's important to maintain a comfortable residential scale and look to the facility. We do this with roof lines, residential materials, residential elements and detailing. The materials we've selected to execute this concept include architectural grade asphalt shingles, lap siding, cedar shake siding, pre-cast concrete stone, and generous amounts of trim work. The lap siding is a warm slate color commercial grade vinyl accented with cream colored, cedar shake vinyl siding in the gables. Stonework on the fireplaces, architectural columns, and all of the building facades is Dutch Quality, Weather Ledge with earth tone colors highlighted by darker slate stones. The white trim work is low maintenance prefinished aluminum and painted LP Smartside to complete the traditional neighborhood look.

Landscape Concept:

The landscape plan provides multiple landscaped and gently curving accessible walking paths for the residents. The building's perimeter is completely landscaped with perennials and shrubs that screen the foundation and add visual interest for visitors and residents. Trees include species such as birch, linden, oak and spruce that provide seasonal interest year round and match the scale of the building.

CONDITIONAL USE PERMIT NARRATIVE

<u>Overview</u>

Tender Reflections is applying for a conditional use permit for a memory care facility in Manitowoc.

Tender Reflections, a home for seniors, is dedicated to providing peace of mind to residents and families by offering dignified care while respecting the mind body and spirit of each person served. To live this mission we hire and develop staff to provide our residents care and services focused on memory impairment and its effects on the whole person. Being engaged and living joyfully in the moment in a safe environment brings the Sanctuary Experience to life.

Project Need

The area has a significant unmet need for Alzheimer's and memory care patients.

Tender Reflections brings approximately 25 new jobs to the area that will serve our resident population 24/7.

Facility/Location

The building is just under 26,000 square feet (see architectural narrative for additional details).

Site is located on State Trunk Highway 42, just South of State Highway 151 in the Southwest Quadrant. (see site map for further details).

Zoning

The site is currently zoned B3 and R5. The facility is a conditional use in both zoning districts.

Certified Survey Map

As part of the project the owner will be submitting a certified survey map, subdividing and creating the property as shown on the site plan. Right of way will be dedicated to the City as part of the certified survey mapping process.

Site Details

The overall property currently consists of approximately 23.1 acres. After the completion of the certified survey map the site will consist of approximately 8.6 acres.

On-site parking will be provided and exceeds the City requirements in both parking count and stall size.

Stormwater management will be provided on-site to meet both the City stormwater requirements and the Wisconsin Department of Natural Resources requirements.

Utility

The facility will be served by both city water and sewer. A mainline sanitary line is available and bisects the site (future public street). Watermain will need to be extended to service the property. The building will be sprinklered.

TENDER REFLECTIONS MEMORY CARE

NEW MEMORY CARE FACILITY

DESIGN TEAM

OWNER:

MIOWEST ASSISTED LIVING PARTNERS, LLC. 5131 175th STREET CHIPPEWA FALLS, WISCONSIN 54729

CONSTRUCTION MANAGER;

INNOVATIVE CONSTRUCTION MANAGEMENT, LLC 5131 175th STREET CHIPPEVIA FALLS, WISCONSIN 54729 P. 715-726-9330 CONTACT: CURT CROTTY

ARCHITECT:

ELLIOT ARCHITECTS, LLC 85 COULEE ROAD SUITE 200 HU0SON, WISCONSIN 54016 P: 715-385-8303 CONTACT: BRIAN HINZ

STRUCTURAL ENGINEER;

DYHAMIG STRUCTURES, PG
204 SIBLEY STREET, SUITE 202
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MEMORY CARE

HWY 42 AND HWY 151 MANITOWOO, WI

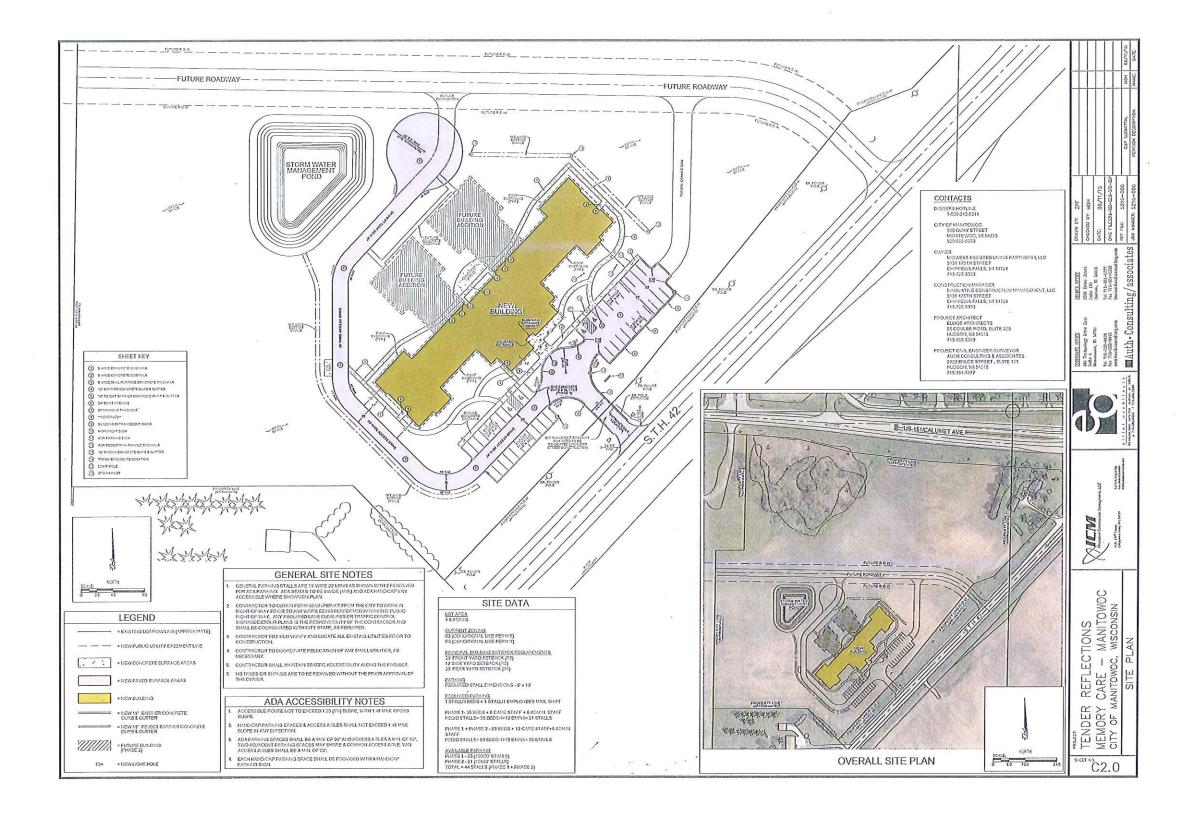


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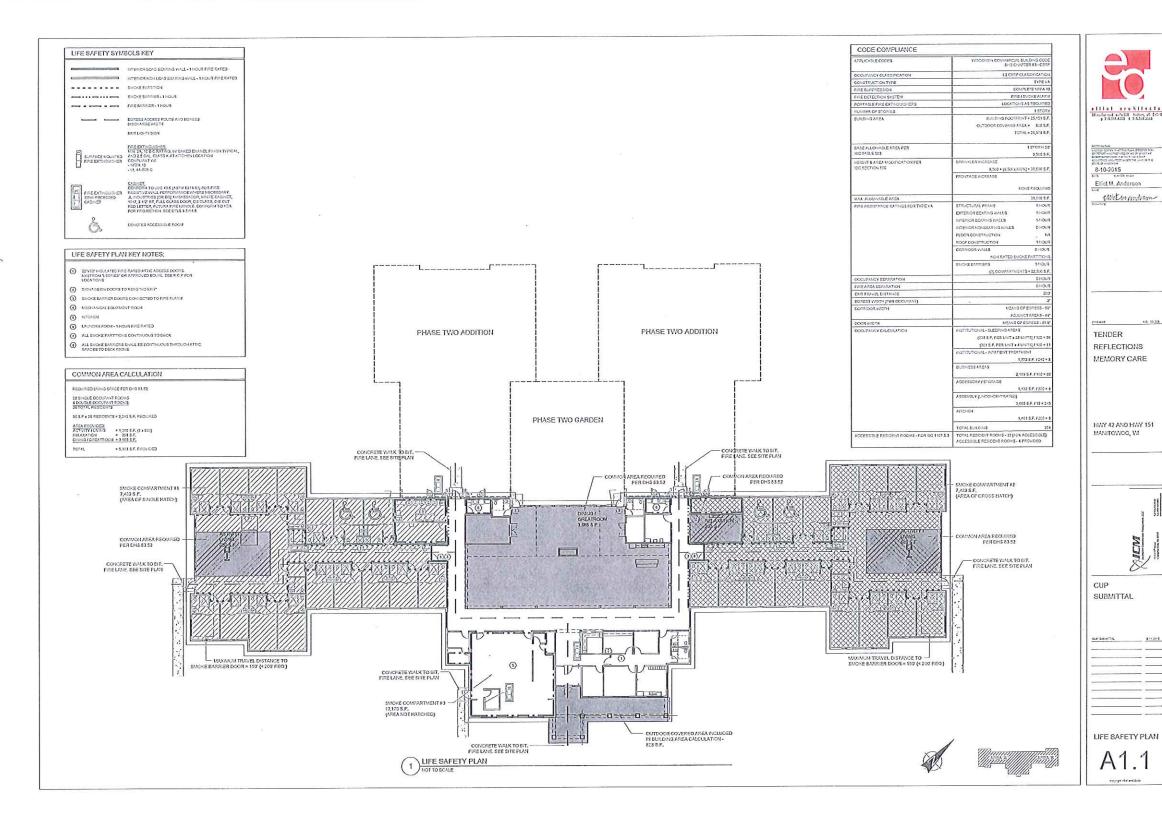
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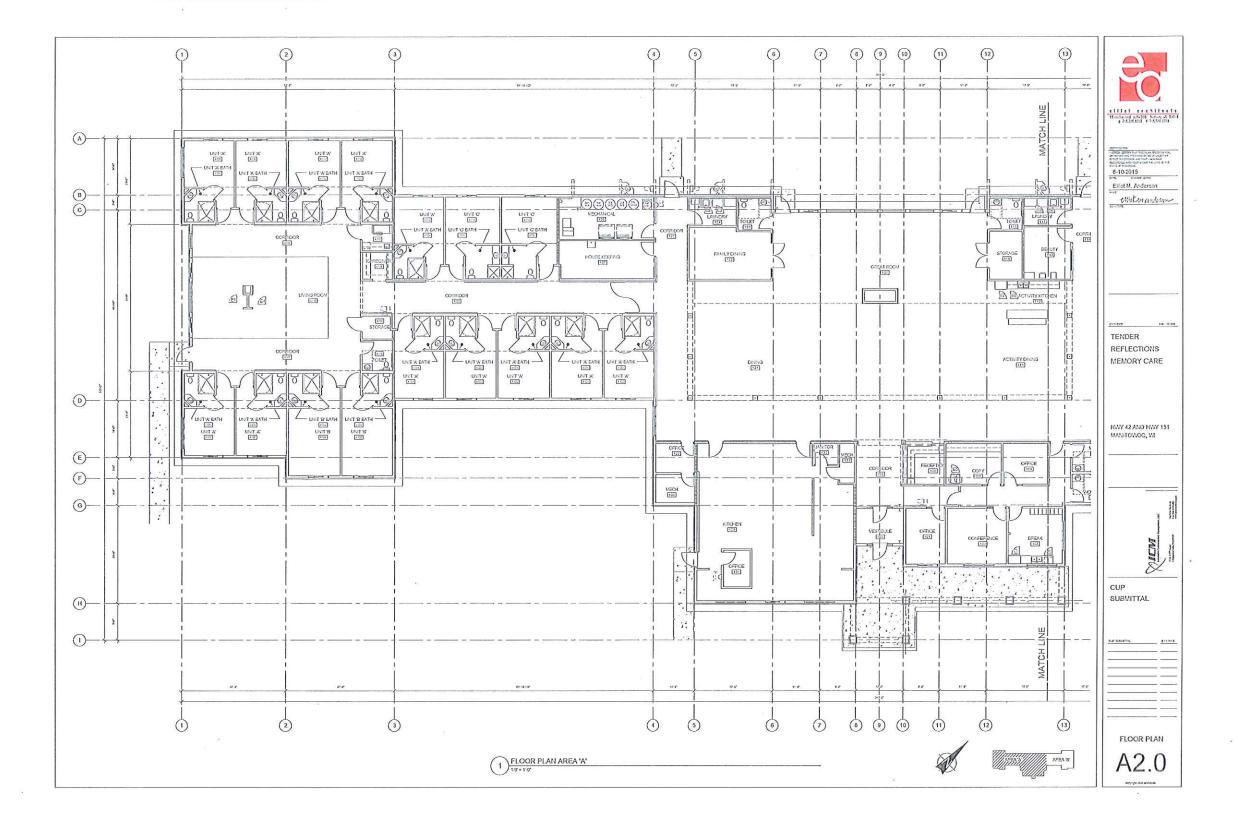
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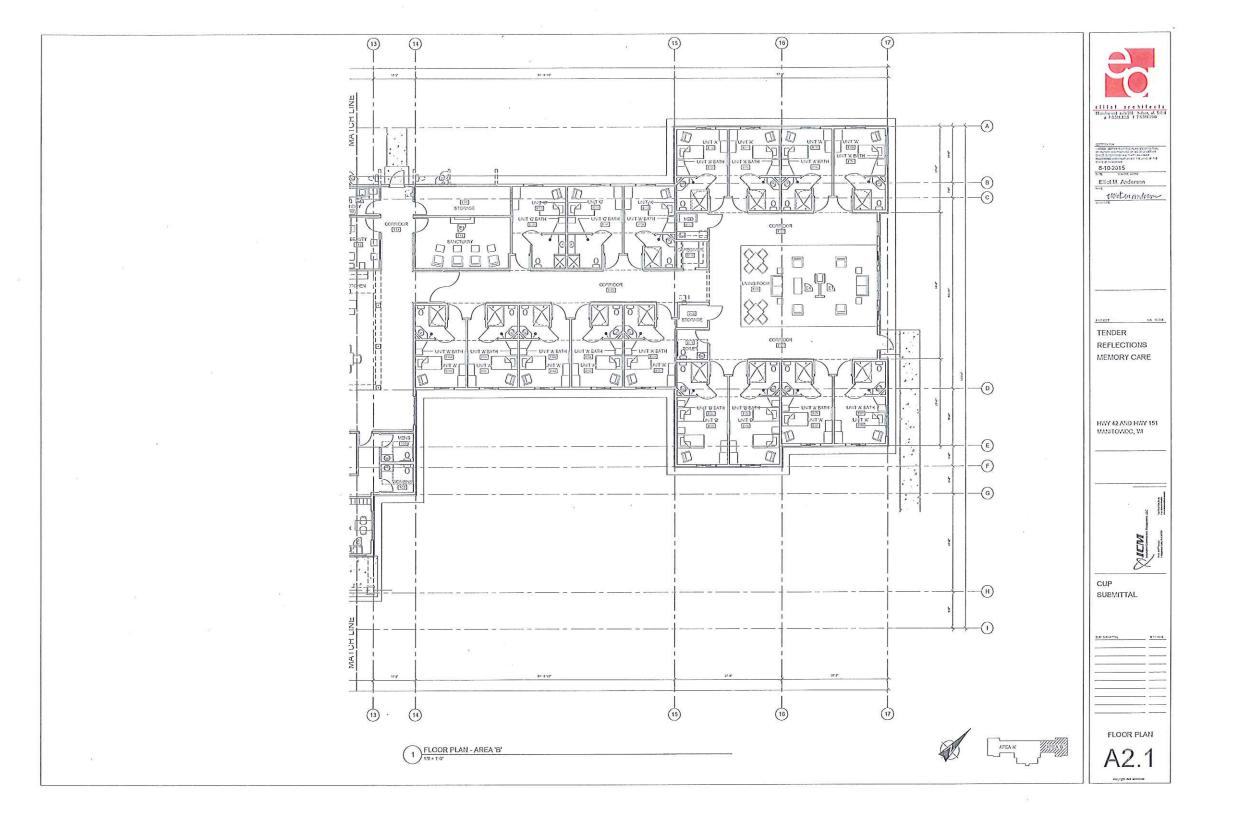
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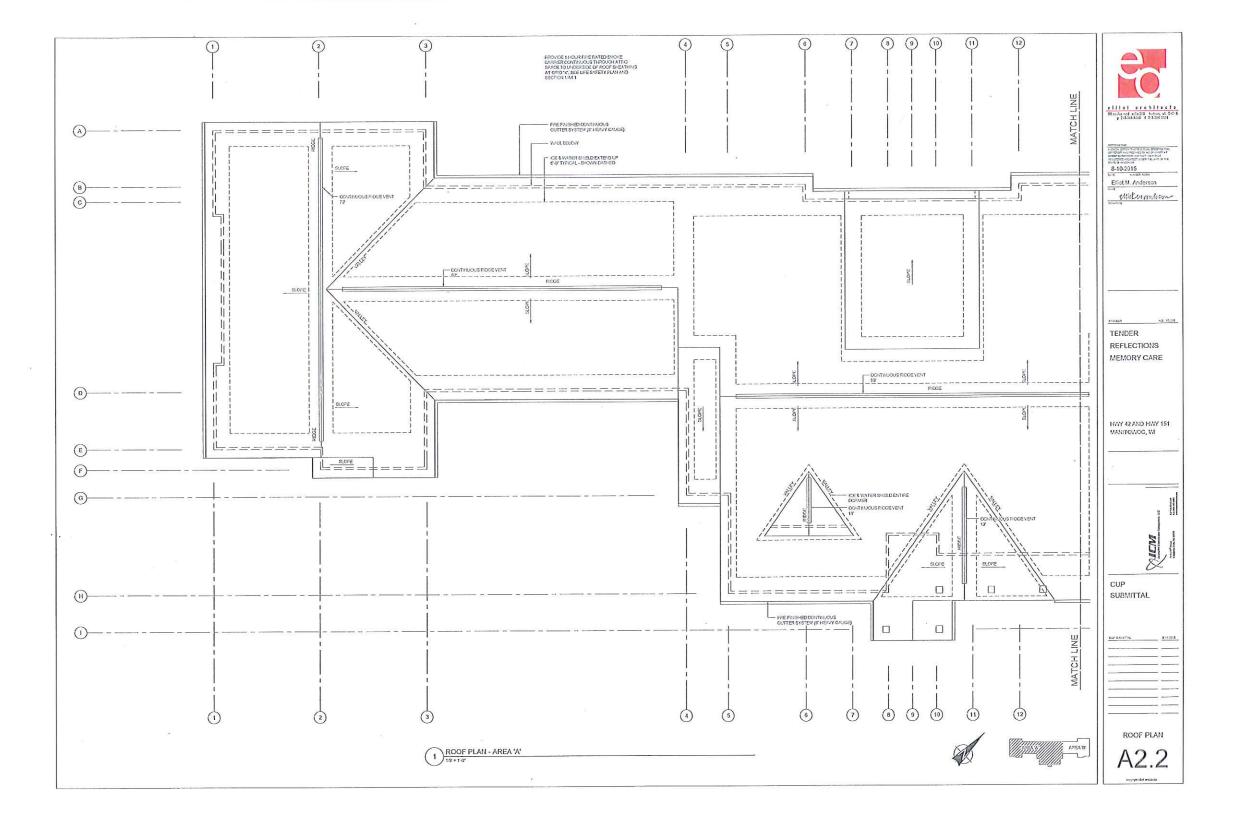


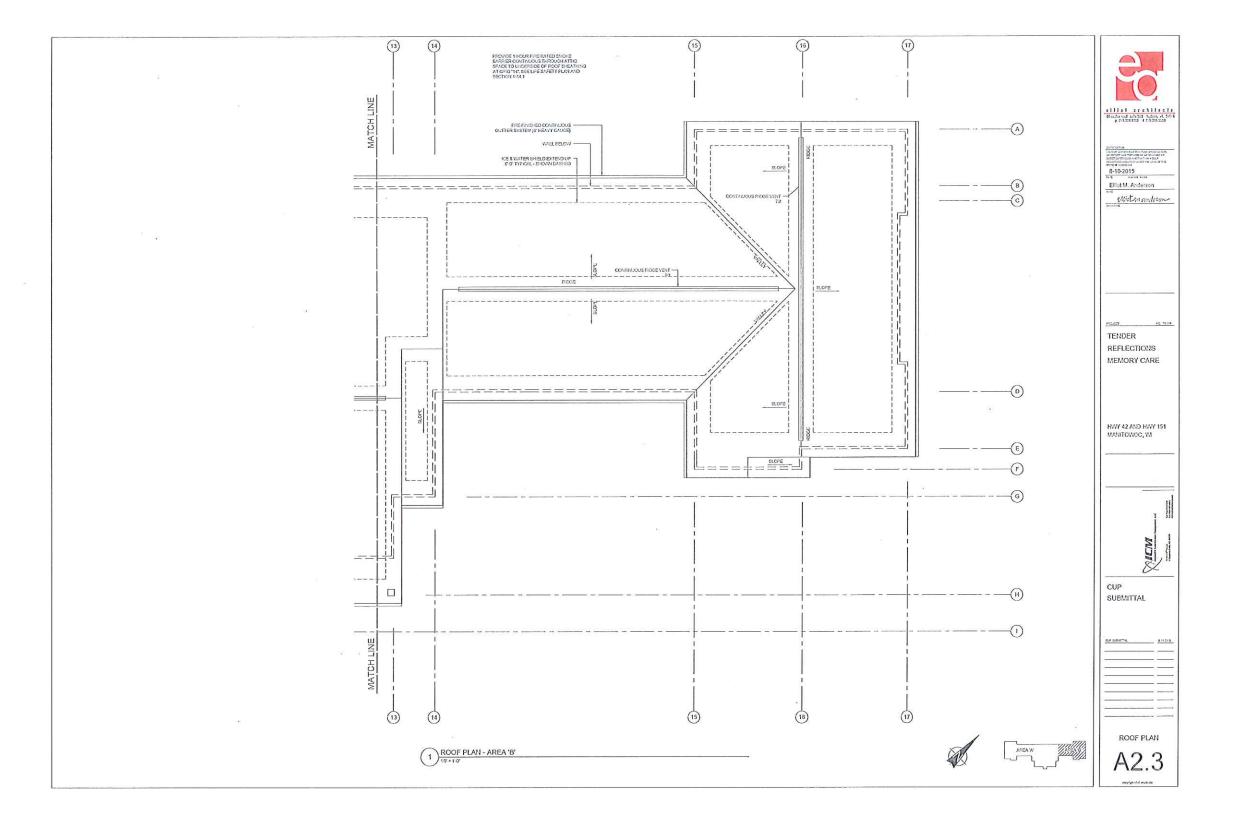


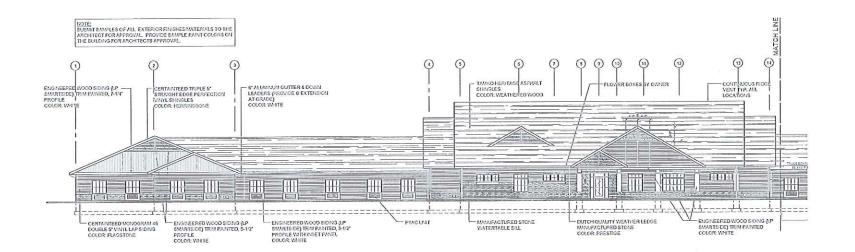






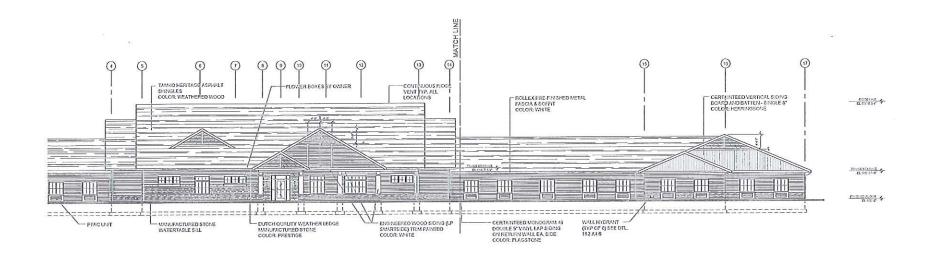






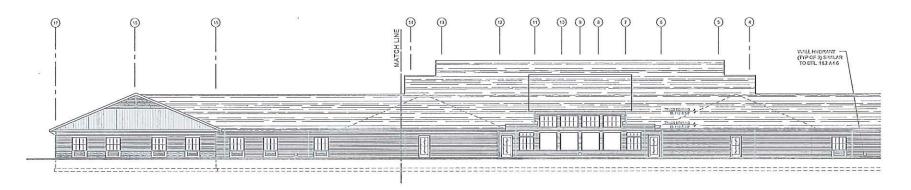
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SOUTH ELEVATION - AREA 'B'



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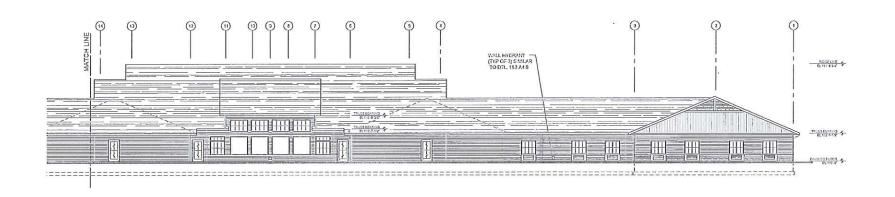
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NORTH ELEVATION - AREA 'A'

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8-10-2015 Elliot M. Anderson Wistorgador TENDER REFLECTIONS MEMORY CARE HWY 42 AND HWY 151 MANITOWOO, WI CUP SUBMITTAL

ELEVATIONS

