

## Report to the Manitowoc Plan Commission

**Meeting Date:** October 25, 2017

**Report Print Date:** October 18, 2017; 11:16 AM

**Request:** PC 26-2017: Americare Senior Services, Inc / Angelus Village of Manitowoc, LLC; Request for a Conditional Use Permit for the establishment of an Assisted Living Facility located at 200 E. Waldo Blvd Pursuant to Municipal Code 15.310(3)g.

**Reason for Request:** The Plan Commission and Council are required to issue a Conditional Use Permit for the establishment of an Assisted Living Facility in a C-1 Commercial Zoning District.

**Existing Land Use for Subject Property:** Currently vacant, but historically the site was the location of the Elks Golf Clubhouse.

**Existing Zoning for Subject Property:** C-1 - Commercial

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North & East	Former golf course	P-1 Conservancy
West	Residential	R-2 Single Family Residential
South	Golf Course, Professional Office	P-1 Conservancy B-1 Office Residential

**Comprehensive Plan:** The Future Land Use Map identifies the subject area as “General Business” and states that land uses for commercial and retail at a neighborhood scale or larger community scale are appropriate. “B-2”, “B-3” and “C-1” zoning district uses are appropriate for the area. Assisted Living Facilities are permitted in all 3 zoning districts after the issuance of a conditional use permit.

**Consistency Analysis:** Conditional Use Permits do not have to be consistent with the future land use map but the proposed building would be in scale with the neighborhood so therefore the proposed use would be consistent with the Future Land Use Map and Comprehensive Plan.

**Report:**

Americare Senior Services, Inc., is the developer and managing member of Angelus Village of Manitowoc, LLC. (Angelus). Angelus is in negotiations with Red Arrow Products Company, LLC to purchase some property to construct their facility. The land sale is contingent on Angelus receiving a CUP for their development.

Angelus is proposing the development of a 52 unit Assisted Living Facility with an estimated construction cost of \$6.5 million dollars which would generate approximately \$135,000 a year in

taxes. Initially Angelus would employ 10 full time employees expanding to 25 FTE's at full occupancy. The facility would be licensed by the Department of Health Services as an Residential Care Apartment Complex (RCAC).

The building would have rooms on three floors; with 16 units on the lower level, 17 units on the first floor and 19 units on the second floor. The units would be a mix of 4 studio units, 44 one bed units and 4 two bedroom.

Angelus currently operates facilities in other Wisconsin communities such as: Hobart, Waupaca, Cottage Grove, Nekoosa, Colby, Neillsville, and Bellevue; in addition to facilities in other states in the Midwest.

Angelus would purchase approximately 3.4 acres from Red Arrow Products Company, LLC. The proposed building would be constructed approximately in the same area as the former Elks Golf Course clubhouse. The clubhouse would be razed and the existing storage garage would be used as a construction office and then razed after the facility is completed. The conditional use permit area is 375' X 400' in area with its southern boundary line being 200 feet north of Waldo Boulevard's right-of-way line.

The proposed location is currently zoned "C-1" – Commercial which permits Assisted Living Facilities after the issuance of a CUP. The area was rezoned in 2014 from "B-3" General Business to "C-1" Commercial to allow for the development of Red Arrow's office and laboratory functions, the construction never occurred because Red Arrow was purchased by Kerry. Currently, under the "C-1" district uses similar to the following could develop without any land use approvals required from the City: automobile laundries, boat sales, contractor office or shop, mobile and manufactured home sales, motor vehicle service shops, and open sales lots in addition to other similar uses. In addition to the uses listed above, the current C-1 Commercial district allows up to two off-premise (billboard) signs. The area has historically been open space and the placement of any off-premise signs would deter the natural aesthetics and views of the subject property and surrounding properties. Angelus has stated they have no intentions of erecting any off-premise signs on their property and are open to the City placing this as a condition.

Angelus is requesting a CUP for a RCAC type of Assisted Living Facility (ALF). ALF's are made up of 4 types of level of care entities: Adult Day Care, Adult Family Home, Community Based Residential Facilities and Residential Care Apartment Complex (RCAC). At this time, Angelus plans on only accepting individuals that would fall into the RCAC category, where residents don't require over 28 hours of care a week. Patients that have dementia or cognitive disabilities would not be admitted into the facility. In the future Angelus would like to have the flexibility to expand their care for patients that may not fall under the RCAC category. The proposed CUP would allow for any type of individual that falls under the ALF definition.

A Residential Care Apartment Complex (RCAC) is an independent apartment complex where five or more adults reside. Apartments must each have a lockable entrance and exit; a kitchen, including a stove (or microwave oven); and individual bathroom, sleeping and living areas. An RCAC is a type of Assisted Living.

An RCAC does not include a nursing home or a community-based residential facility, but may be physically part of a structure that is a nursing home or community-based residential facility.

RCACs provide services either directly, or under contract, and the services must be part of the tenant's service agreement. RCACs are not for those persons who are incompetent or for those with Alzheimer- related dementia or other infirmities of aging that require more in-depth monitoring by health care professionals. An RCAC must adhere to State Administrative Code, Department of Health Services DHS 89.

In the future when the adjacent Red Arrow Property (former Elks Club) is developed a Planned Unit Development (PUD) would be overlayed onto the property. The PUD would set design standards, height limits, preserve vision corridors, provide flexibility to sign standards and other requirements; at that time the Angelus development would also be incorporated into the PUD. Angelus is aware of this and don't have a concern with it being a condition of approval.

### Case History

The federal Americans with Disabilities Act (ADA) and federal Fair Housing Act prohibit discrimination in housing because of handicap or disability communities must make reasonable accommodations.

### Site Assessment

A certified survey will be prepared prior to the land sale. A minimum 25' permanent public access easement will be created to provide access to the subject property. Site Plan approval is required prior to construction; creation of a planned unit development for both the Angelus and Red Arrow properties will be occurring in the future.

### Compliance Analysis

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.

Public Comments Notices were mailed out to property owners within 200 feet of the subject area and to date no comments have been received.

### **Recommendation:**

The Community Development Department recommends approval of the Conditional Use Permit for the establishment of a 52 unit Assisted Living Facility pursuant to the following conditions.

REQUIREMENTS FOR  
CONDITIONAL USE PERMIT (CUP) APPROVAL FOR  
AMERICARE SENIOR SERVICES, LLC d.b.a. ANGELUS VILLAGE OF MANITOWOC, LLC  
LOCATED AT 200 E. WALDO BLVD  
10/25/2017

- A. The CUP shall require compliance with all applicable local and state regulations including issuance and maintenance of a license to Angelus Village of Manitowoc, LLC (Angelus) by the Wisconsin Department of Health Services (DHS) for the operation of an Assisted Living Facility. If Angelus is not successful in receiving a license from DHS by December 31, 2019 Angelus shall be required to re-apply for a CUP.
- B. Angelus shall be subject to a maximum of 52 units as shown on the submittal drawings.
- C. Angelus shall not assign or transfer its interest in the CUP to any party without the written approval of the Manitowoc City Plan Commission and Manitowoc Common Council.
- D. To maintain the aesthetic and natural open space of the subject area Angelus shall not be allowed to construct any off-premise (billboards) in the CUP area.
- E. By mutual consent, Angelus agrees to incorporate the CUP area into a Planned Unit Development (PUD) when a PUD is created and overlaid onto the remaining Red Arrow Products Company, LLC property.
- F. 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.



CITY OF MANITOWOC  
WISCONSIN, USA  
[www.manitowoc.org](http://www.manitowoc.org)



October 17, 2017

**NOTICE OF PUBLIC INFORMATIONAL HEARING**

As a property owner within 200 feet of an area of a proposed Conditional Use Permit (CUP) for the operation of an Assisted Living Facility for up to a maximum of 52 units located at 200 E. Waldo Boulevard, Manitowoc WI. You are being notified that the Manitowoc City Plan Commission will meet on **October 25, 2017 at 6:00 o'clock P.M.** in the Common Council Chambers, Main Floor, City Hall, 900 Quay Street, and hold a public informational hearing to consider the request for the CUP. The request is pursuant to Section 15.310(3)g of the Manitowoc Municipal Code. The CUP area is identified on the attached map.

***Petitioner is: PC26-2017: Americare Senior Services, Inc., Managing Member of Angelus Village of Manitowoc, LLC; Request for a Conditional Use Permit Under Section 15.310(3)g***

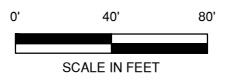
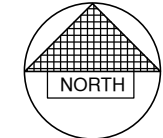
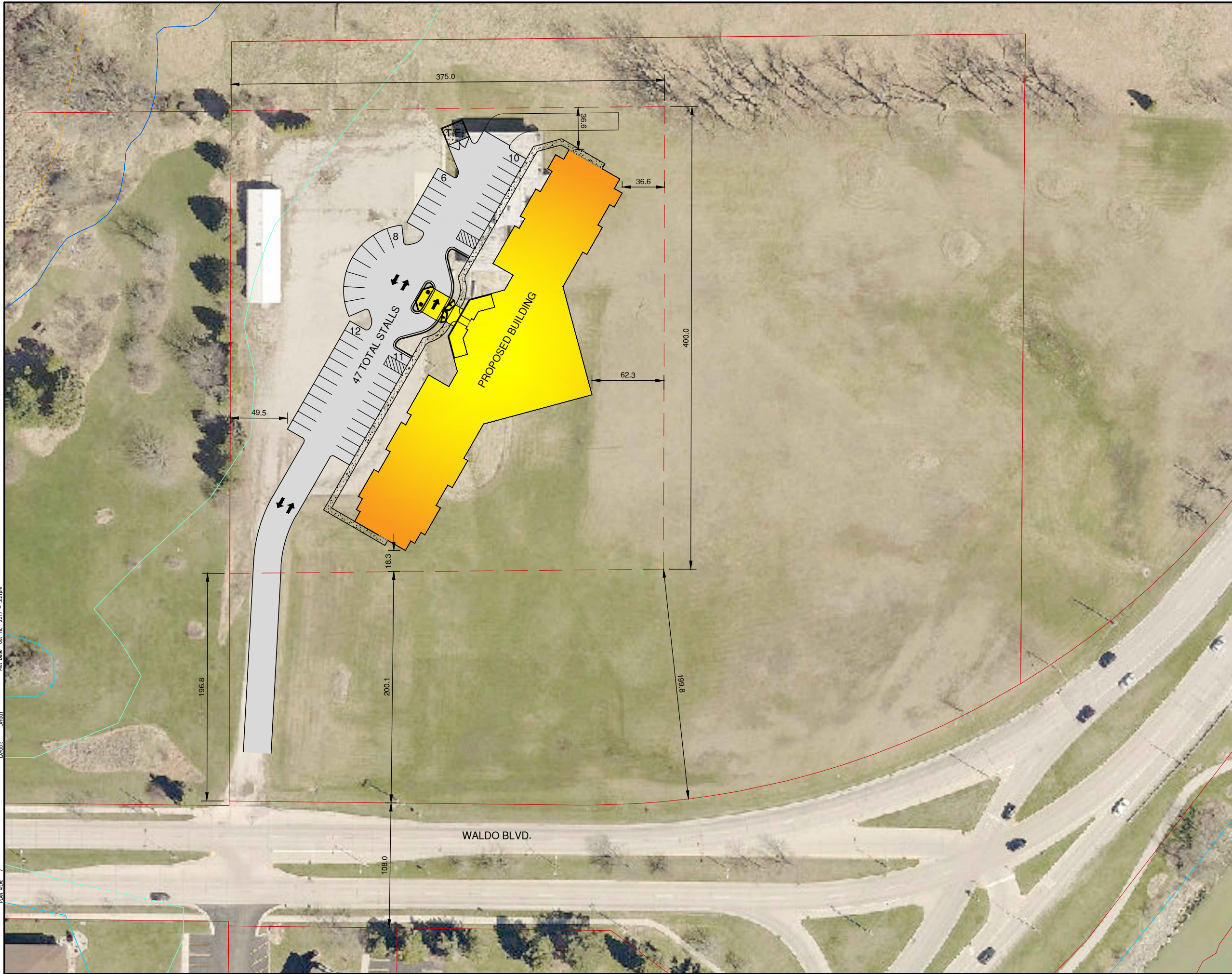
You are invited to attend this informational meeting in order to voice your opinion regarding the proposed CUP.

If you wish, you can call (686-6930) or visit the office of the City Plan Commission, Main Floor, City Hall, and we will be glad to discuss the proposed development with you.

Respectfully Submitted,

Paul Braun  
City Planner

Enclosure





October 12, 2017

Mr. Paul Braun  
City Planner-Community Development-City of Manitowoc  
900 Quay Street  
Manitowoc, WI 544220

In Reference: Conditional Use Permit-Angelus Village of Manitowoc, LLC  
"Assisted Living"

Dear Paul:

Thank you for your assistance in providing direction as to the process for Angelus Village of Manitowoc, LLC obtain a Conditional Use Permit for a parcel of land on which Angelus wishes to construct an assisted living project.

To that end, AmeriCare Senior Services, Inc., the developer of the project and the managing member of Angelus Village of Manitowoc, LLC, (Angelus) and authorized to act on behalf of Angelus; hereby requests consideration by the City of Manitowoc to grant a Conditional Use Permit on a parcel of land currently owned by Red Arrow Products Company, LLC (Red Arrow) which parcel will be described and delineated with and made as attachments to this letter. The parcel is located on land previously known as the "Elks Club Golf Course." Angelus supports any CUP request by Red Arrow.

A general description of the land is as follows.

"

A demised parcel of land, which parcel consists of + or - 4.0 acres located at 200 E Waldo Boulevard, Manitowoc, WI 54420. The parcel is 400 feet by 400 feet (375') comprising 160,000 square feet of land which northerly boundary of a larger parcel of land designated as a C-1 (B-3 General Business District.) The parcel commences at the north westerly corner and approximately 100 feet (100') south of the northerly boundary of the aforementioned C-1 zoned property."

This letter consists of 13 attachments. Attachment "A"- Project Description; Attachments "B-1"- Expanded Demised Site; B-2-Site with driveway access; "B-3"-Footprint of AL Residence on Site; Attachments "C-1"-Pictoral Representation of the residence exterior; "C-2"-Exterior depicting landscaping, and waterfall; "C-3" Exterior Ameniteis; "C-4" Picture of Model room, wide hallways, partial entry; 'C-5"-Pictures of dining room, and entry; "C-6"-Schematics of Resident Rooms. Attachments "D-1"-Facing Direction of Footprint; "D-2"-2<sup>nd</sup> Floor Plan; "D-3"-1<sup>st</sup> and 3<sup>rd</sup> Floor plans.

Again Paul, thank you for your assistance. Should you desire any additional information, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Vince Cassiani".

Vince Cassiani, President  
AmeriCare Senior Services, Inc.

For: Angelus Village of Manitowoc, LLC

Attachments: A-D

Cc: Gary Underwood, Red Arrow Products Company, LLC

2701 Larsen Road • Green Bay, Wisconsin 54303  
(920) 915-8836

# **ATTACHMENT "A"**

## **The Project**

The Angelus project will consist of a 52-unit assisted living development located on a parcel of land (+ or -) plus or minus) four acres (4) being demised from land owned by the Red Arrow Products Company, LLC which owns property known as the former Elks Club Golf Course, in Manitowoc, Wisconsin

The structure will be a three-story structure, with two of the levels being at grade, and one level being below grade. The front entrance of which will face to the west with access being from the existing driveway which ingress and egress will be from Waldo Boulevard. The residence will be configured on the site to maximize the view of Lake Michigan to the east.

The residence will function as an "assisted living" property providing support services to frail seniors which age will be 55 years and above. Services will include around the clock awake staff, to also include meals, laundry service, housekeeping, and overall support services with Activities of Daily Living (ADL's). Angelus will be certified by the state of Wisconsin (HFS 89 Code). The property will not be a memory care operation.

The residence will employ an "Executive Director" and initially ten (10) full time employees expanding to 25 full-time employees upon full occupancy. Construction of the project will be approximately Six Million Five Hundred Thousand Dollars (\$6,500,000) and will provide real estate tax revenue of approximately One Hundred Thirty-Five Thousand Dollars, (\$135,000). The initial annual operating budget including payroll will approximate Two Million Dollars (\$2,000,000.)

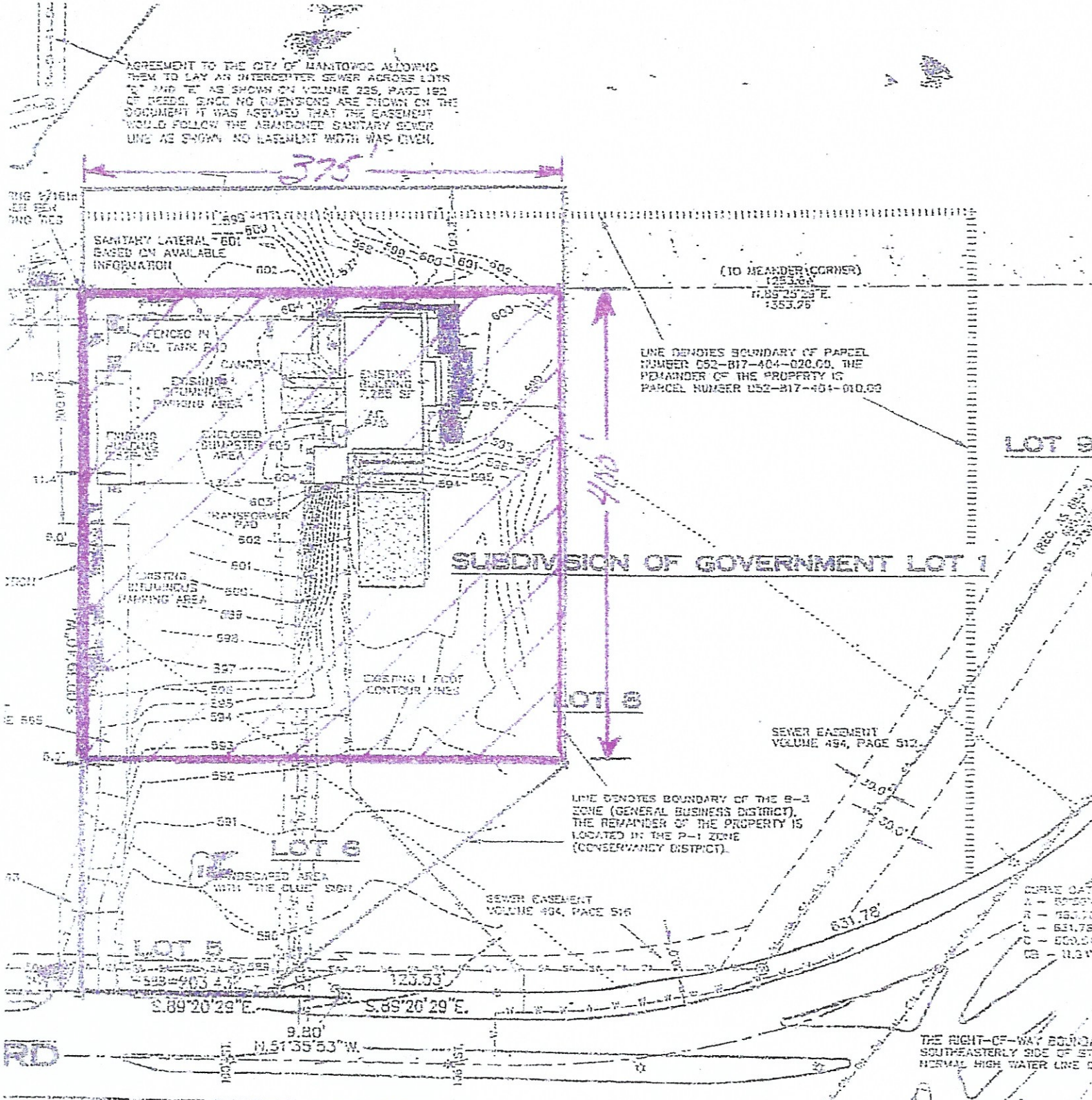


ATTACHMENT "B-1"

# Demised Site Location

## 150, 000 Square Feet-3.44 Acres (+ or -)

AGREEMENT TO THE CITY OF MANTOWOC ALLOWING THEM TO LAY AN INTERCEPTOR SEWER ACROSS LOTS 7, 8 AND 9 AS SHOWN ON VOLUME 235, PAGE 152 OF RECORD. SINCE NO DIMENSIONS ARE SHOWN ON THE DOCUMENT IT WAS ASSUMED THAT THE EASEMENT WOULD FOLLOW THE ABANDONED SANITARY SEWER LINE AS SHOWN. NO EASEMENT WIDTH WAS GIVEN.



LINE DENOTES BOUNDARY OF PARCEL NUMBER 052-817-404-020.00, THE REMAINDER OF THE PROPERTY IS PARCEL NUMBER 052-817-404-010.00

LINE DENOTES BOUNDARY OF THE S-1 ZONE (GENERAL BUSINESS DISTRICT), THE REMAINDER OF THE PROPERTY IS LOCATED IN THE P-1 ZONE (CONSERVANCY DISTRICT).

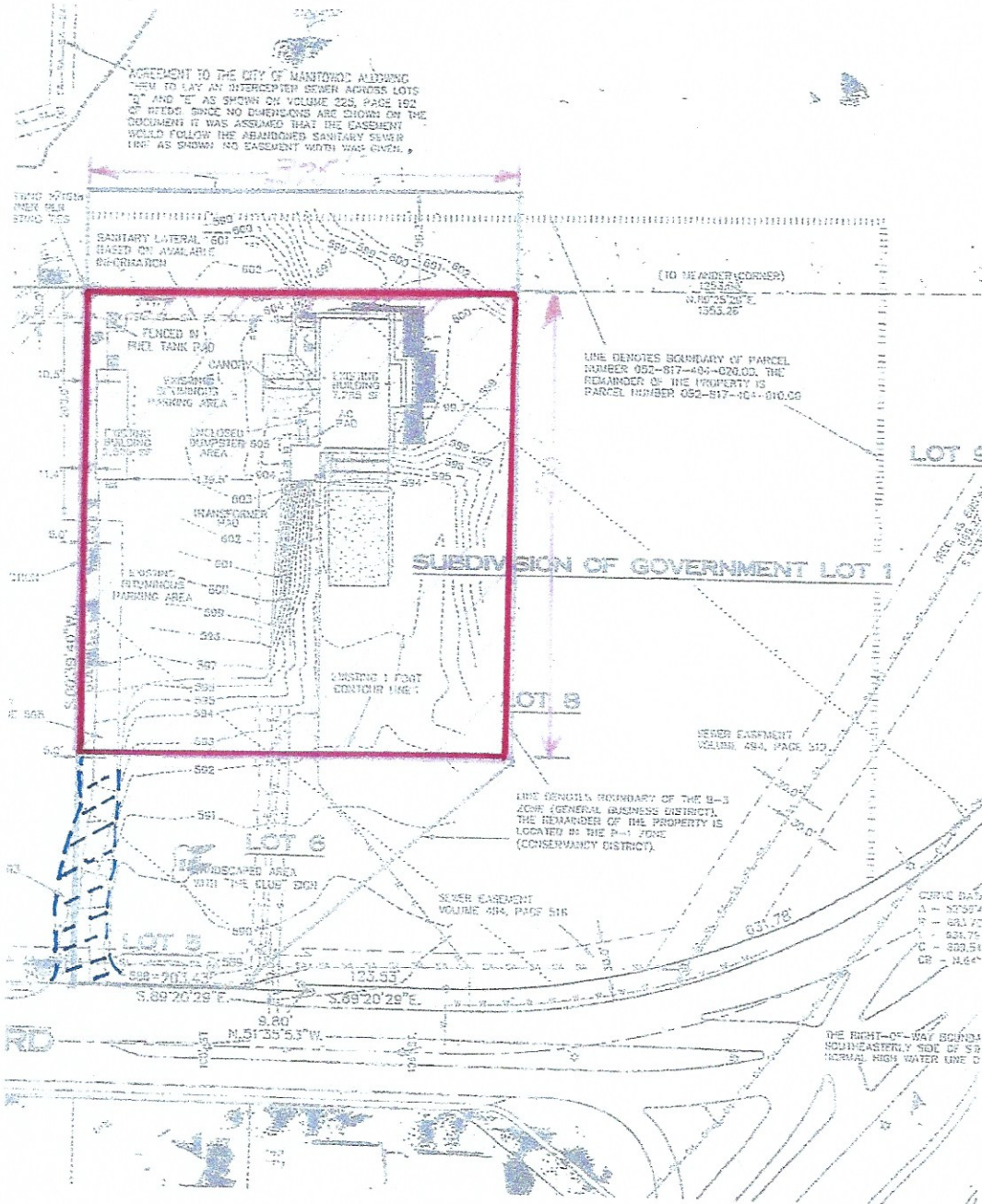
THE RIGHT-OF-WAY BOUNDARY SOUTHEASTERLY SIDE OF ST NORMAL HIGH WATER LINE 0

# ATTACHMENT "B-2"

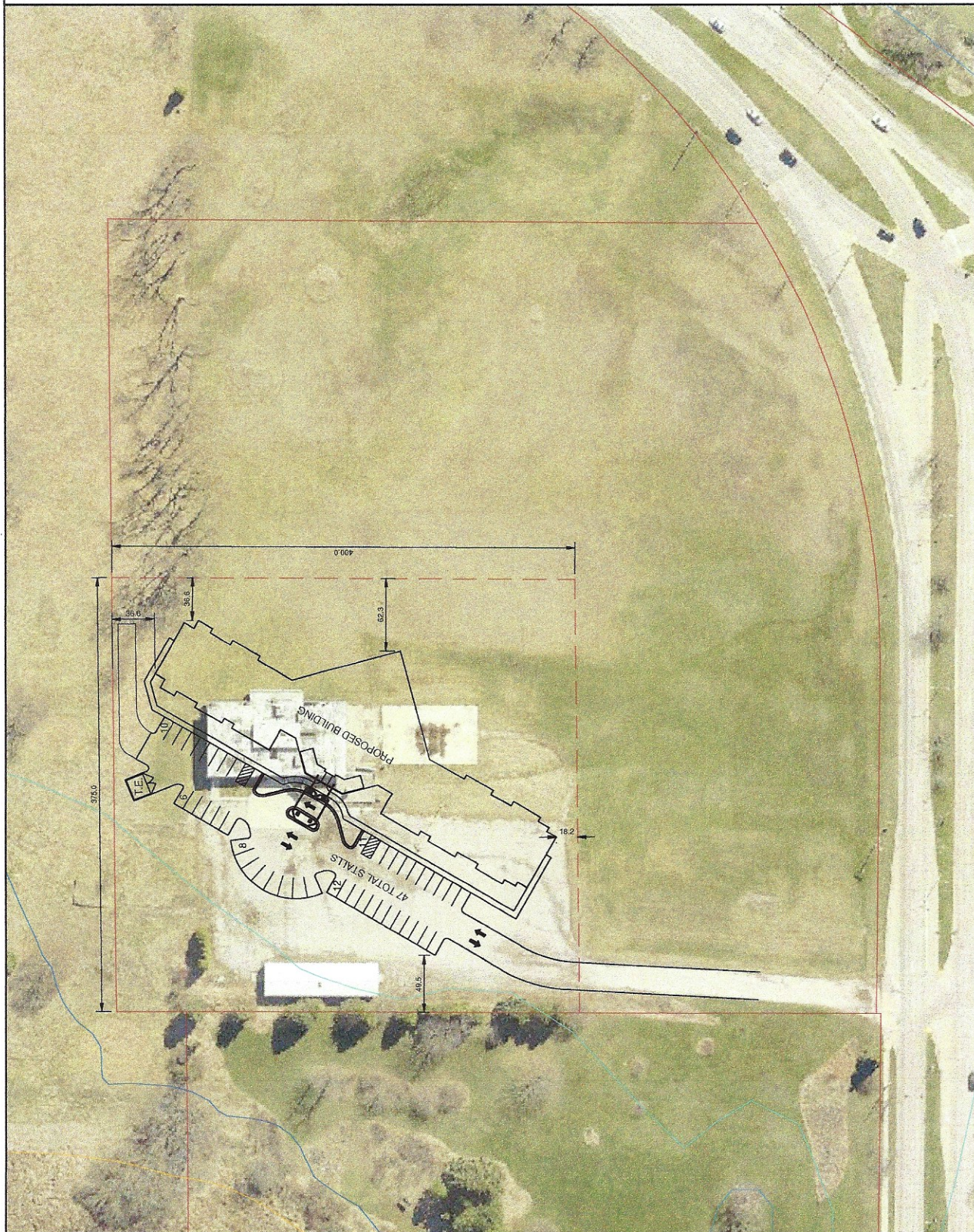
## ADDENDUM "A"

200 E. Waldo Blvd, Manitowoc, Wisconsin 54220

Offer to Purchase Dated September 26, 2017-Line 16

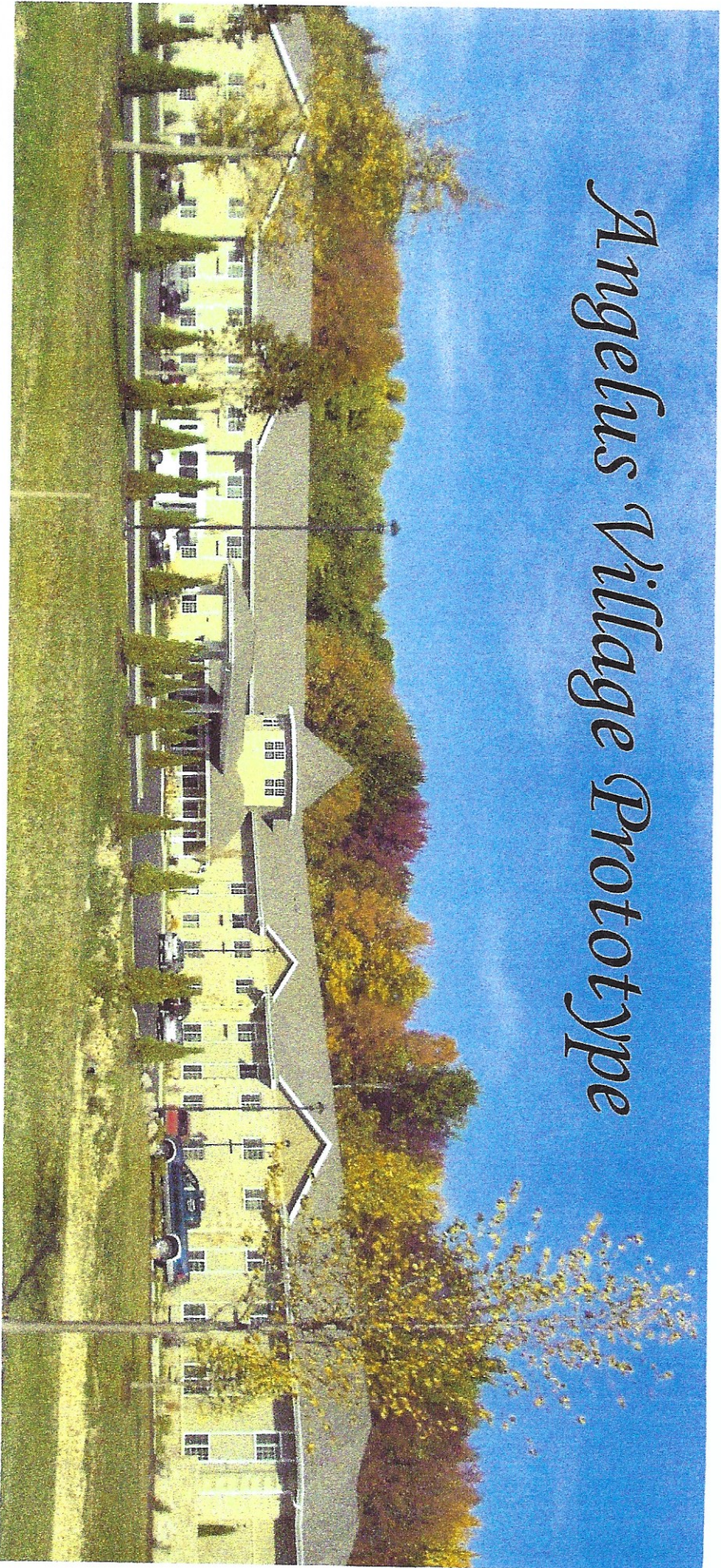


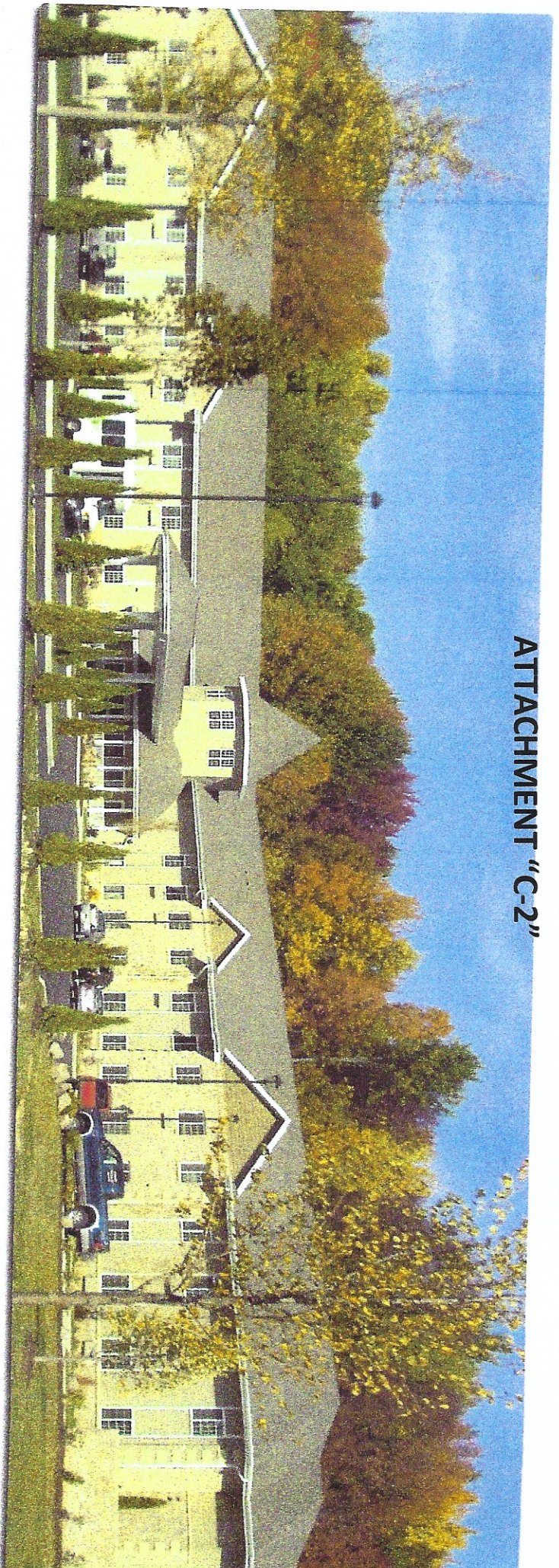
# ATTACHMENT "B-3"



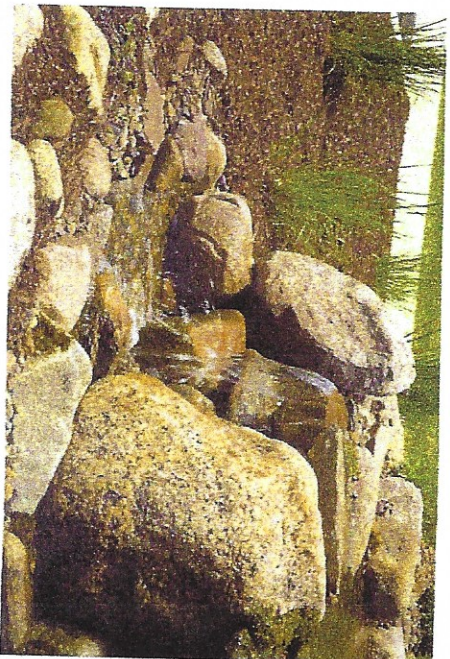
ATTACHMENT "C-1"

*Angelus Village Prototype*

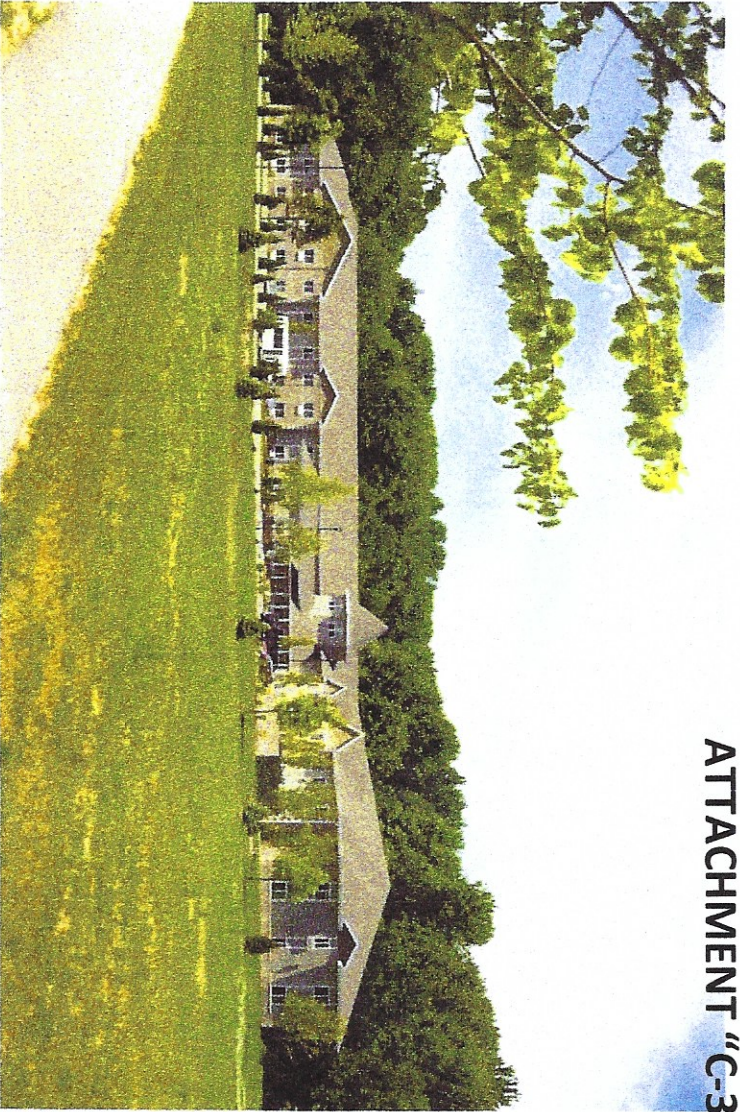




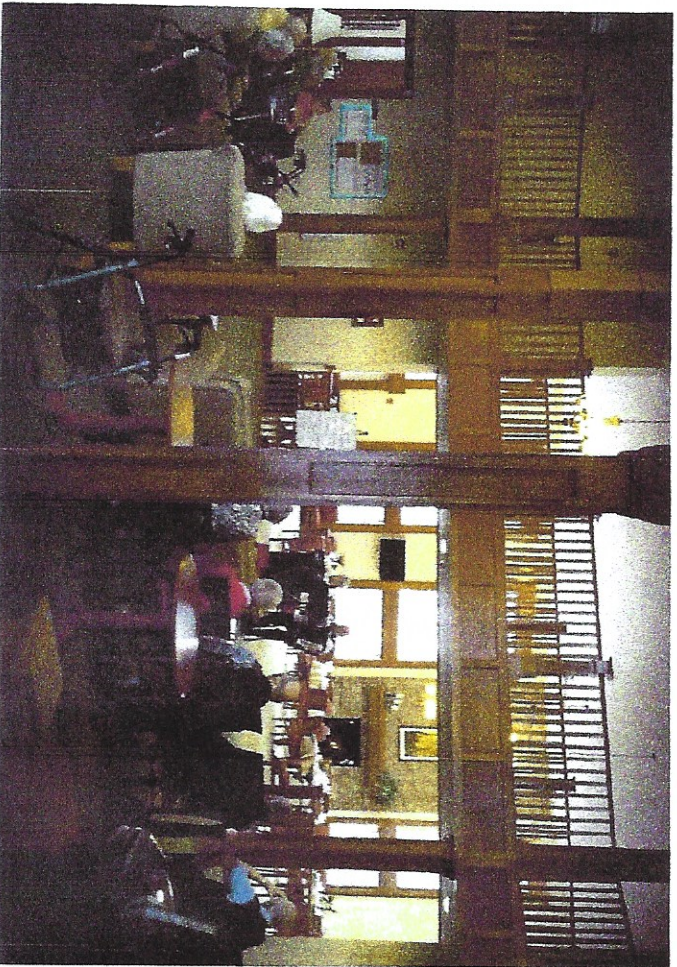
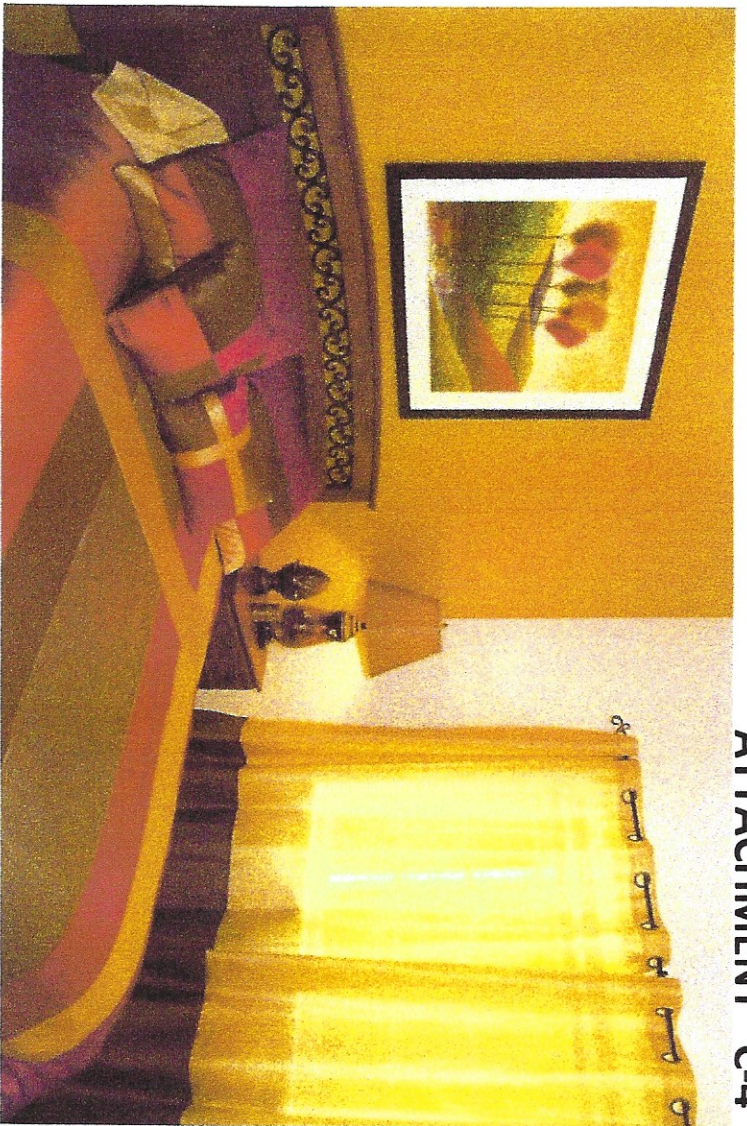
*Angelus Village*



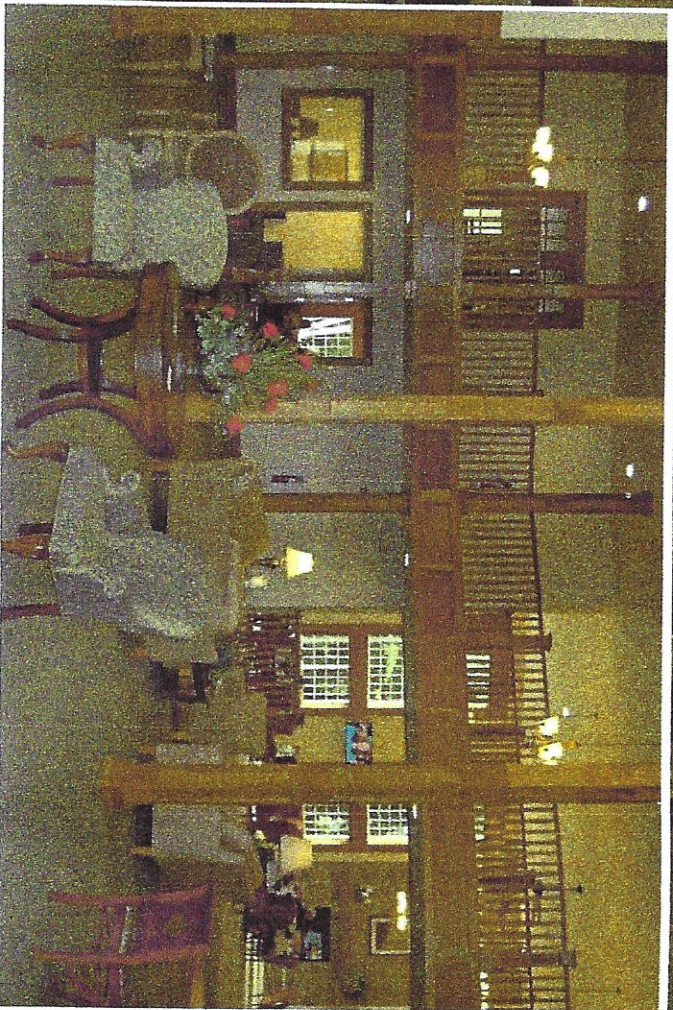
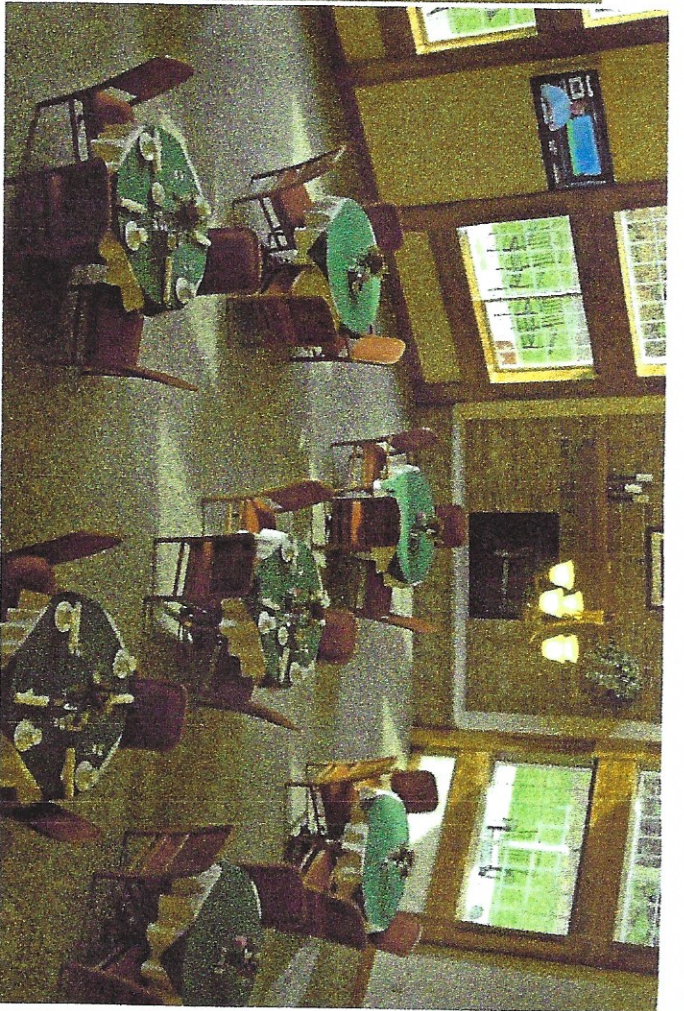
ATTACHMENT "C-3"



ATTACHMENT "C-4"



ATTACHMENT "C-5"





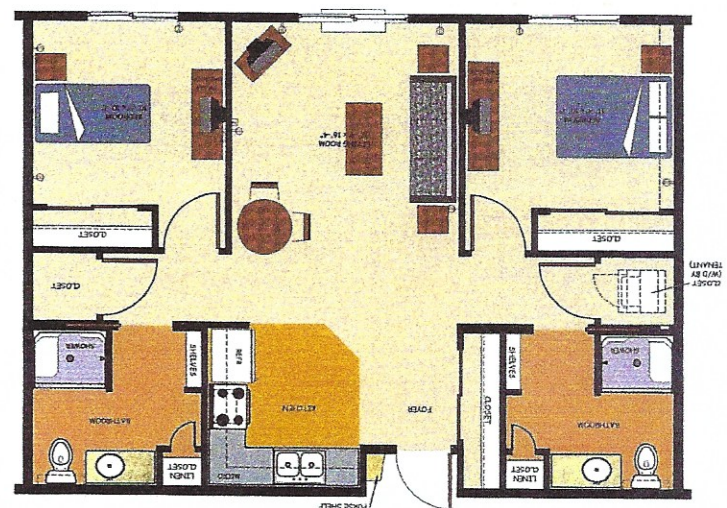
ATTACHMENT "C-6"

www.angelsvillage.com

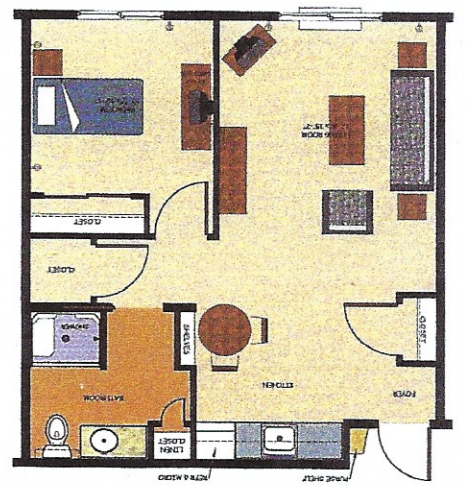
● Security Deposit (refundable) \$1,000

● Second Occupant \$800

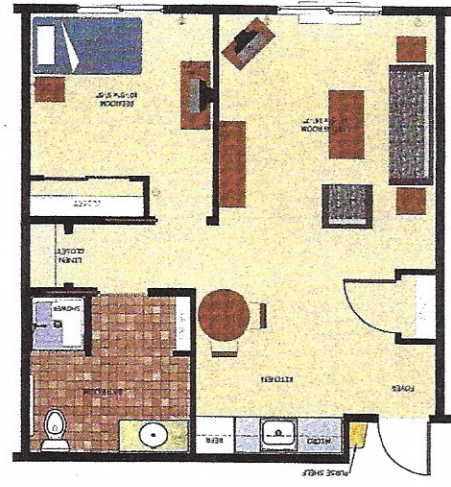
- Monthly Rent Includes:
- Three meals daily
  - Snacks anytime
  - Laundry
  - Housekeeping
  - Medication management
  - All utilities
  - Cable TV



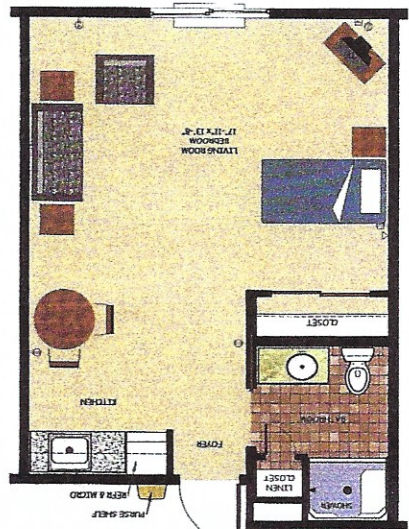
Two Bedroom



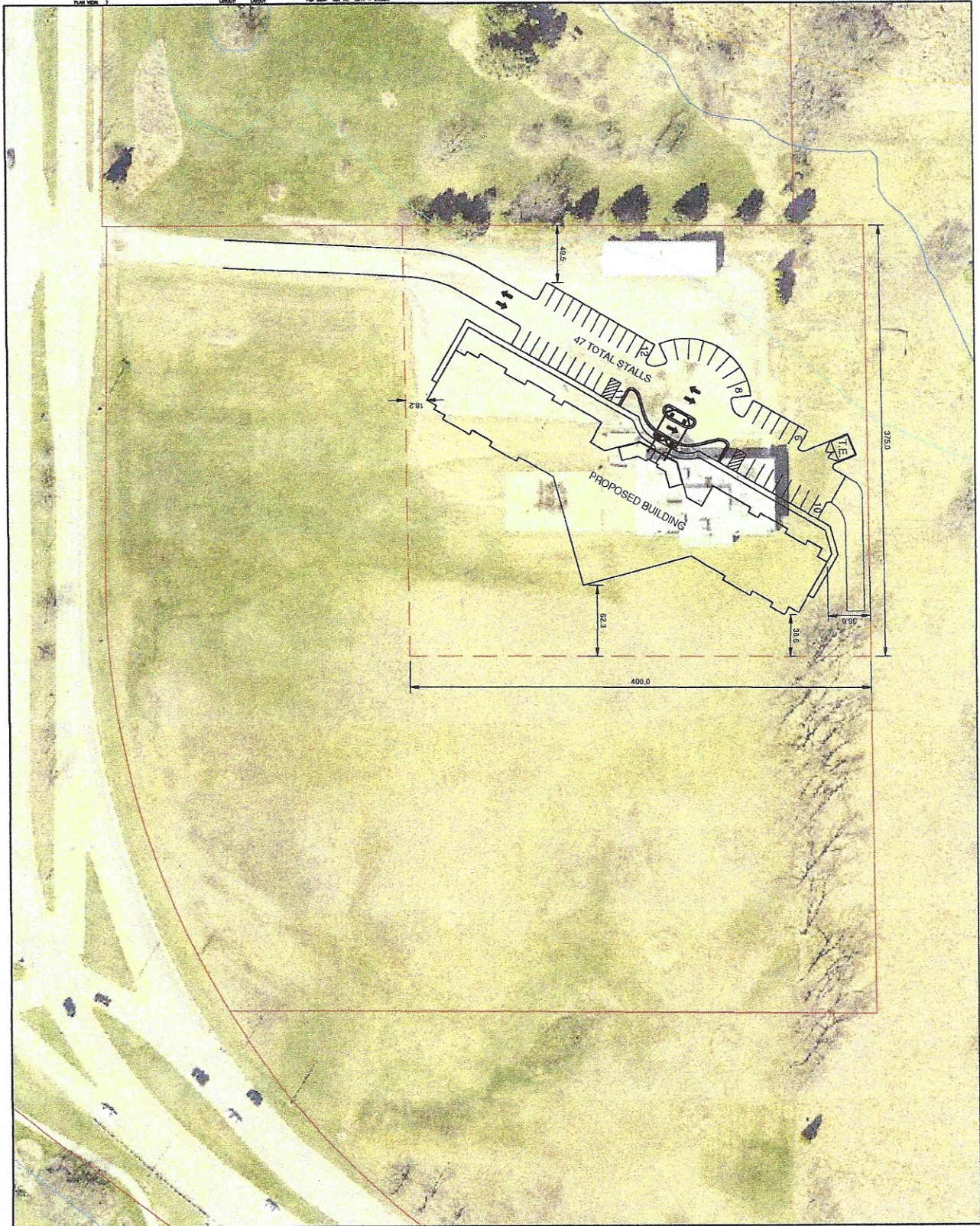
One Bedroom \$



Accessible Unit \$



Studio \$

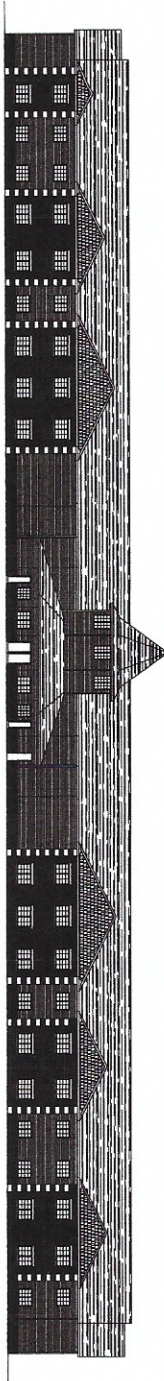


ATTACHMENT "D-1"

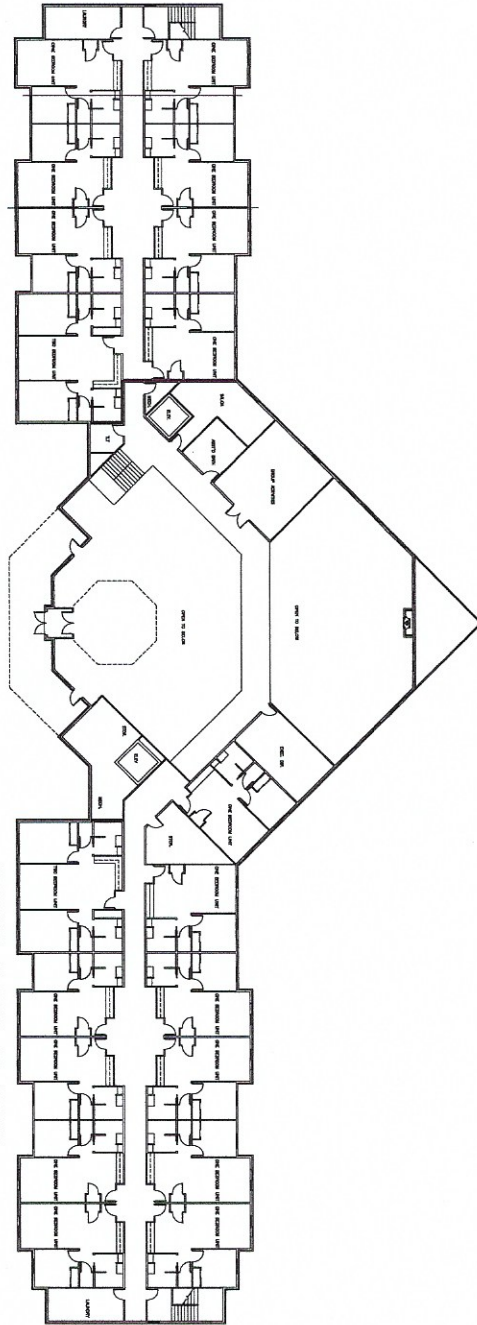


ATTACHMENT "D-2"

FRONT ELEVATION



SECOND FLOOR 19 UNITS



2

PROPOSED BUILDING  
ANGELUS PROPERTIES  
WISCONSIN

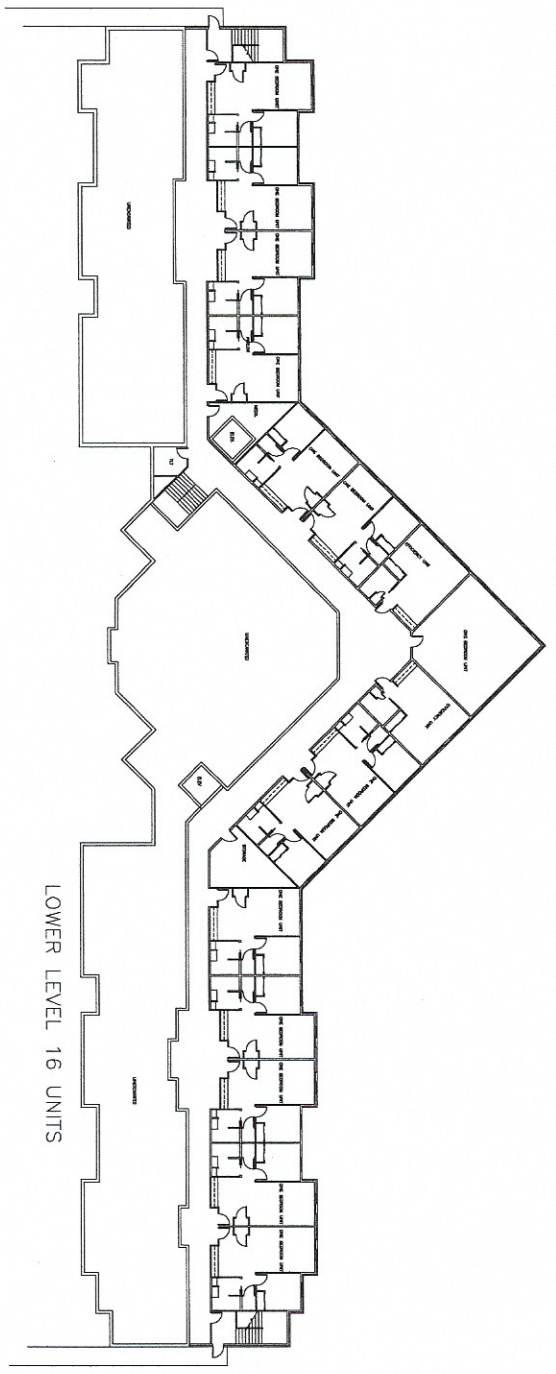
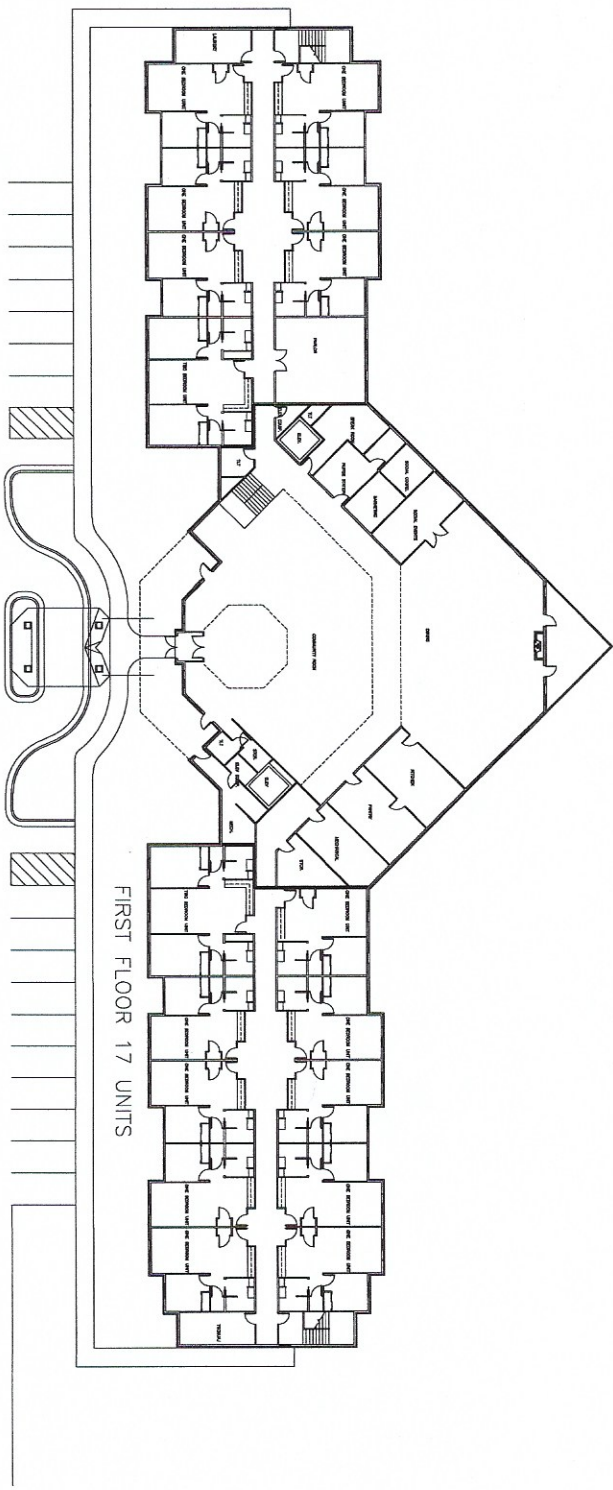
JOB NO. X FILE: X DATE: XX/XX/XX  
JON VERSTEGEN — ARCHITECT

REVISED:  
▲

**TOTAL PROJECT MANAGEMENT INC.**  
*For Total Client Satisfaction*

1336 HALEY CT.  
SUAMICO, WI 54173  
(920) 819-9663

email: jonv.tpm@sbcglobal.net



ATTACHMENT "D-3"

	<p>PROPOSED BUILDING ANGELUS PROPERTIES WISCONSIN</p> <p>JOB NO. X      FILE: X      DATE: XX/XX/XX</p> <p>JON VERSTEGEN — ARCHITECT</p>	<p>REVISED:</p> <p>▲</p>	<p><b>TOTAL PROJECT MANAGEMENT INC.</b> <i>For Total Client Satisfaction</i></p>	<p>1336 HALEY CT. SUAMICO, WI 54173 (920) 819-9683</p> <p>email: jonv.tpm@sbcglobal.net</p>
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