CONDITIONAL USE PERMIT APPLICATION

Applicant (name and address):
NESNAH VENTURES, LLC 3819 CREEKSIDE LN
C/O PAUL HANSEN HOLMEN, WI 54636

Owner of site (name and address):
ST. FRANCIS ELDER CARE, INC
620 11TH STREET
LA CROSSE, WI 54601

Architect (name and address), if applicable:
HSR ASSOCIATES KURT SCHROEDER
100 MILWAUKEE ST.
LA CROSSE, WI 54603

Professional Engineer (name and address), if applicable:

Contractor (name and address), if applicable:
WIESER BROTHERS GENERAL CONTRACTOR, INC.
200 TWILITE ST.
LA CRESCENT, MN 55947

Address of subject premises: 2415 CASS STREET

Tax Parcel No.: 17-20118-40

Legal Description: WARNERS SUBD OF WTS 1,2 & 3 OF SUBD OF N½-NW¼ LOTS 5,6,7,8,9,10,11 & 3' OF LOTS 4 & 12 BLOCK 6 & VAC ALLEYS LOT SE: 45,406 SF

Zoning District Classification: R-6 - Special Multiple.

Conditional Use Permit Required per La Crosse Municipal Code sec. 115-~~4000~~ 364
(If the use is defined in 115-347(6)(c)(1) or (2), see "" below.)*

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

Description of subject site and **current** use (include such items as number of rooms, housing units, bathrooms, square footage of buildings and detailed use, if applicable). If available, please attach blueprint of building(s):
FORMER VILLAGE APARTMENTS ON CASS
BUILDING WILL BE VACANT AFTER 2/1/17

Description of **proposed** site and operation or use (include number of rooms, housing units, bathrooms, square footage of buildings and detailed use). If available, please attach blueprint of building(s):
NESNAH VENTURES IS IN THE PLANNING AND PERMITTING PROCESS OF CONSTRUCTING A NEW 2-STORY, 12-UNIT MEMORY CARE FACILITY ON THE NORTH SIDE OF PROPERTY AND REMODELING THE EXISTING BUILDING TO HOUSE 30 ASSISTED LIVING UNITS.

Type of Structure (proposed): WOOD FRAMED TWO STORY

Number of **current** employees, if applicable: 16 TOTAL EMPLOYEES

Number of **proposed** employees, if applicable: 30 TOTAL EMPLOYEES

NOTE: IN AN EFFORT TO SPEED UP THE CONSTRUCTION PROCESS WE ARE REQUESTING A DEMOLITION PERMIT TO RAZE THE EXISTING NORTH CONVENT BUILDING BEFORE FINAL BUILDING PERMITS ARE SECURED.

CITY OF LA CROSSE, WI
General Billing - 144410 - 2017
003454-0020 Crystal H 02/02/2017 10:25AM
1097 - WIESER BROS CONSTRUCTION

Payment Amount: 750.00

Number of **current** off-street parking spaces: 26

Number of **proposed** off-street parking spaces: 26

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

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

* If the proposed use is defined in *115-347(6)(c)(1) or (2)*

X (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.

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

If the above paragraph is applicable, the Conditional Use Permit shall be recorded with the County Register of Deeds at the owner's expense.

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

I hereby certify under oath the **current** value of the structure(s) to be demolished or moved is $ 100,000.

I hereby certify under oath the value of the **proposed** replacement structure(s) is $ 3.5 MILLION.

If the above paragraph is applicable, this permit shall be recorded and should the applicant not complete the replacement structure or structures of equal or greater value within two (2) years of the issuance of any demolition and moving permit, then the applicant or the property shall be subject to a forfeiture of up to $5,000 per day for each day the structure(s) is not completed.

CERTIFICATION: I hereby certify that I am the owner or authorized agent of the owner (include affidavit signed by owner) 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.

(signature) 1/24/2017 (date)

608-392-9710 (telephone) holst.tanner@mayo.edu (email)

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

Personally appeared before me this 24 day of Jan, 2017, the above named individual to me known to be the person who executed the foregoing instrument and acknowledged the same.

Erika F. Ritter
Notary Public
My Commission Expires: 10/30/2020

ERIKA F. RITTER NOTARY PUBLIC STATE OF WISCONSIN

PETITIONER SHALL, BEFORE FILING, HAVE APPLICATION REVIEWED AND INFORMATION VERIFIED BY THE DIRECTOR OF PLANNING & DEVELOPMENT.

Review was made on the 3rd day of February, 2017.

Signed: _____, Senior Planner
Director of Planning & Development

AFFIDAVIT

STATE OF)
) ss
COUNTY OF)

The ~~undersigned~~ agent, Tanner Holst VP-MGHS FMC, being duly sworn states:

1. That the ~~undersigned~~ agent is ~~an adult resident of~~ a representative of property owner in the City of LaCrosse, State of Wisconsin.

2. That the undersigned is (one of the) legal owner(s) of the property located at 225 S 24th Street.

3. By signing this affidavit, the undersigned authorizes the application for a conditional use permit/district change or amendment (circle one) for said property.

Property Owner

Subscribed and sworn to before me this 24 day of Jan, 2017

Erika F. Ritter
Notary Public
My Commission expires 10/30/2020.

ERIKA F. RITTER
NOTARY PUBLIC
STATE OF WISCONSIN

NESNAH VENTURES

February 1, 2017

City of La Crosse Council Members
400 La Crosse Street
La Crosse, WI 54601

Dear Council Members:

We are excited to introduce you to a proposed development regarding the property at 2415 Cass Street, currently known as the Villages on Cass. The current facility is a 31 unit apartment building caring for elderly or handicapped individuals. The purpose of our request is to convert the existing facility from the current use to a facility with 30 assisted living and 12 memory care rooms.

This property has been a part of the local La Crosse neighborhood since the early 1950s where the Franciscan Sisters constructed a convent that housed the Sisters who helped care for the local community. In the 1980s, apartment units were added by the Sisters so that elderly people could be cared for without leaving their neighborhood. The intent of our proposed development is to continue the legacy of the Sisters by constructing a state-of-the-art senior living community.

To accomplish the goals of this development, we are petitioning the City of La Crosse for a Change to Zoning as well as a Conditional Use Permit.

Operational Plan

Our Nesnah Ventures, LLC Operational Plan for this property includes Community Living Arrangements (CLA) and Facility Management Services provided by our majority-owned subsidiary of nine years:

Oxford Property Management
206 S Broadway, Suite 400
Rochester, MN 55904

The newly renovated property will include accommodations for 42 units of which 30 will be designated as Assisted Living Units and the remaining 12 for Memory Care residents. We will be licensed as a Community-Based Residential Facility (CBRF) and our maximum capacity per this license will be stated as 52 residents.

The facility will include 24-hour staffing with a Resident Assistant in charge and 24/7 access to an on-call Registered Nurse. At full capacity, our staffing plan calls for 25 full-time employee equivalents; we anticipate this to be up to 44 employees in a combination of full and part-time roles. Our maximum employees per shift would be 14.

We will be providing Home Care Services, as well as, Activity Programming for all of our residents; Memory Care residents will receive additional Memory Care programming. There is no plan to include any services for persons not under residential care.

Petition for Change to Zoning

The current property has a deed restriction between the Franciscan Sisters and the City of La Crosse that only allows for 29 apartment units for elderly or handicapped persons. To accommodate our proposed development, we are asking that this deed restriction be either eliminated or changed. Through the change in the deed restriction we will be able to care for more residents of the neighborhood as they continue to age.

The conditional use permit is being requested so that that we can raze the existing 2-story building on the north side of the property and rebuild a new 2-story building that will house a 12-unit memory care facility on the second floor as well as adding administrative, nursing, kitchen, dining and gathering areas for the residents. We will also be remodeling the 3-story building that will house 30 assisted living units by updating each room with modern kitchenettes, bathrooms and living spaces that will make them more handicap accessible.

In addition to the individual units, the entire building will be equipped with a fire/sprinkler system to increase the safety of our residents.

By approving this development, the City of La Crosse will be getting a property that can now be added to the tax base, adding tens of thousands of dollars. The City of La Crosse will also gain a great asset to help continue to strengthen its efforts in maintaining neighborhood communities.

We look forward to working with the City of La Crosse and its departments to complete this proposed development.

We respectfully ask for your approval.

Sincerely,

Paul E. Hansen

Paul E. Hansen
Vice President

571991

983566

VOL 773 PAGE 332
OCT 7 1986
RECORDED
AT 2:55 P.M.
DORIS L. PICHA
REGISTER OF DEEDS
La Crosse County, WI

RESTRICTIVE COVENANT

WHEREAS St. Francis Elder Care, Inc. is the owner of the following described real estate, and WHEREAS such real estate is currently zoned by the City of La Crosse as multiple dwelling and WHEREAS St. Francis Elder Care, Inc. has filed a petition asking the City of La Crosse to rezone the following described real estate from multiple dwelling to special multiple dwelling district (Sec. 15.07(F)), and WHEREAS St. Francis Elder Care, Inc. has solicited and obtained support for the aforementioned rezoning from neighboring property owners upon the representation that should the City of La Crosse act favorably upon St. Francis Elder Care, Inc.'s Petition for Rezoning, a restrictive covenant of the tenor hereafter described would be a condition of such rezoning.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, St. Francis Elder Care, Inc., the owner of the following described property so long as such property carries the zoning of Special Multiple Dwelling District and shall run with the land such that it will have effect upon all successors of St. Francis Elder Care, Inc. Notwithstanding the provision of Section 15.07(F) entitled Special Multiple Dwelling District Regulations, the following described real estate of St. Francis Elder Care, Inc. shall be subject to the following limitations and conditions in use:

RESTRICTIVE COVENANT

(a) The apartment building on this site will not exceed 29 apartment units.
(b) The construction on this site will not exceed three stories in height.
(c) The apartment units will be rented only to elderly and/or handicapped persons.

The provisions of this Restrictive Covenant are intended for the benefit of the City of La Crosse, its Boards, Administrators, enforcers and agents, and any person or legal entity directly affected and aggrieved by the use of the following described real estate owned by St. Francis Elder Care, Inc. The provisions of this Restrictive Covenant may be enforceable in any Court of general jurisdiction in La Crosse County and shall be subject to the equitable remedies of injunction. Nothing herein shall prevent the City of La Crosse or its enforcers from any other enforcement remedy provided by the zoning code of the City of La Crosse.

The real estate owned by St. Francis Elder Care, Inc. and to which this Restrictive Covenant applies is legally described as follows:

Warners Sub of Lots 1-2-3 of Subd of N 1/2 of NW 1/4 Sec 4-15-7 lots 5-6-7-8-9-10-11 & the S 3 ft of Lots 4 & 12, Block 6. Plus vacated alleys.

Dated this 29th day of September 1986.

Stewart W. Laird, President

Sr. Grace Clare Beznoduz, Secretary

NOTARY

Subscribed and sworn before me this 7th day of October, 1986.

Notary Public