

MEMORANDUM

Date: February 27, 2024

To: Deputy City Attorney Todd Farris

From: Dimitri Zografi
Rodney W. Carter

Re: **Timeline - Honey Creek IV – 9000 W. Chester Street**

I. 1989 – Honey Creek Creation

In 1989, the City of Milwaukee (“City”) approved the construction of Honey Creek Corporate Center (“Honey Creek”), which consisted of three buildings, each known as a Phase, under a General Planned Development Agreement (“GPD”). The GPD sets out the general zoning parameters for the campus and includes, among other items, a permitted use list.¹

In addition, each building has its own Detailed Planned Development Agreements (“DPD”) that sets individual zoning restrictions so long as they are not inconsistent with the GPD.² For Honey Creek, all DPDs mirror the DPD. It is worth noting, however, that the permitted uses in the DPD and GPD reflected the uses and classification of the 1986 Zoning Code, which was then in effect.

II. 2002 – Phase IV Building

In 2002, the City approved the construction of 9000 W. Chester Street, known as Phase IV.³ As with the other Phases, the DPD for Phase IV also included the permitted

¹ File No. 881840 as subsequently amended by Files Nos. 961721 and 99052.

² In other words, the GPD acts as the constitution while DPDs act as individual statutes governing the building.

³ File No. 011153.

use list that was within the GPD.⁴ Specifically, the DPD and GPD allowed for “Correspondence Schools (8241),” “Data Processing Schools (8243),” and “Business and Secretarial Schools (8244).”

III. 2002 – Zoning Code Change

Between 2001 and 2002, Zoning Code underwent a major overhaul. As a result, most of the 1986 uses and classification that were listed in the GPD and DPDs no longer exist. As such, the City looks at the closest zoning classification that matched the new amending Zoning Code to determine if a use is permitted.

Among those that no longer exist are the three listed above. Instead, the new closest classifications include “School, Personal Instruction,” “College” and “University.”⁵ Per the City Zoning Code, “School, Personal Instruction means a business, professional, trade or other specialty school. This term includes, but is not limited to, a school offering instruction in music, art, dance, martial arts, GED preparation, computer use or programming, or cosmetology. This term does not include a flight school or an elementary or secondary school.”⁶ While the City Zoning Code provides that “College means an educational institution authorized by the state to award baccalaureate or higher degrees, or any campus of the state vocational, technical and adult education system. This term includes any classroom, laboratory, sporting facility or office associated with such institution. This term does not include a dormitory.”⁷

IV. 2004 – Minor Modification

In 2004, the City approved a minor modification to allow the removal of 10 surface parking spaces and other site changes on the east side of the Phase IV building for Building Code purposes.⁸

⁴ Exhibit A.

⁵ “University” and “College” have the same meaning within the Zoning Code. *See* Zoning Code Subchapter 2, 295-201-641.

⁶ *Id.* at 295-201-641.

⁷ *Id.* at 295-201-105.

⁸ File No. 021268.

The same year, the City also approved the 1st Amendment to the DPD for Honey Creek Phase IV to allow an increase in the maximum permitted height of signage.⁹

V. 2008 – Computer Training

On September 18, 2008, the City issued a Certificate of Occupancy for Computer Training.Com, which was located in 135 S. 84th St., known as the Phase III building. The approved use (under the current Zoning Code) was “School, specialty /personal instruction.”¹⁰

VI. 2010 – Strayer University

On October 14, 2010, the City issued a Certificate of Occupancy for Strayer University in the Phase IV building. The approved use was for “College or University (Offices and Classrooms).”¹¹

VII. 2015 – Lakeland College

On March 30, 2015, the City issued a Certificate of Occupancy for Lakeland College in the Phase IV building. The approved use was for “College or University (Commercial general office space).”¹²

VIII. 2016 – Minor Modification

In 2016, the City approved a minor modification to update the signage standards.¹³

IX. 2023 – Arizona College of Nursing Buildout

On April 4, 2023, the City issued a Commercial Alternation Permit (“Permit”) for Arizona College of Nursing (“Arizona”).¹⁴

⁹ File No. 030977.

¹⁰ Exhibit B.

¹¹ Exhibit C.

¹² Exhibit D.

¹³ File No. 151837

¹⁴ Exhibit E.

HUSCH BLACKWELL

On April 19, 2023, Brian Biernat issued a Plan Approval Letter (“Letter”) relating to the permit.¹⁵ In reliance with the Permit and Letter, Greywolf Partners incurred more than \$500,000 in buildout expenses for Suite 300.

On August 21, 2023, an Occupancy Application was submitted to the City for Arizona.¹⁶

On October 13, 2023, Brian Dean from the City notified Campbell Construction that “College” is not a permitted use under the GPD or the DPD.¹⁷

On October 16, 2023, after speaking with the City’s Department of Neighboring Services, Kristen Connely from the City reaffirmed that “College” is not a permitted use under the GPD or the DPD. When asked regarding Lakeland College, she stated that “[b]ased on the information provided by that applicant, both DNS and DCD concluded that the use was allowed. Different people were in the position of reviewing the application back in 2014 so I do not have the benefit of institutional knowledge as it relates to that tenant/use, but from what we can ascertain, *it was determined to be more akin to a personal instruction school*, which is allowed per the Honey Creek GPD zoning.”¹⁸ (emphasis added).

On October 30, 2023, the City issued an Occupancy Permit for Suite 100 for Arizona. The approved use was for “General Office.”¹⁹

X. 2023 – Modification Requests.

On October 21, 2023, a modification was GPD was requested.

On November 13, 2023, a minor modification of the Phase IV DPD was requested.

DZ

Enclosures

¹⁵ Exhibit F.

¹⁶ City Permit Records (available at <https://aca-prod.accela.com/Milwaukee/Cap/GlobalSearchResults.aspx?QueryText=4171531100>)

¹⁷ Exhibit G.

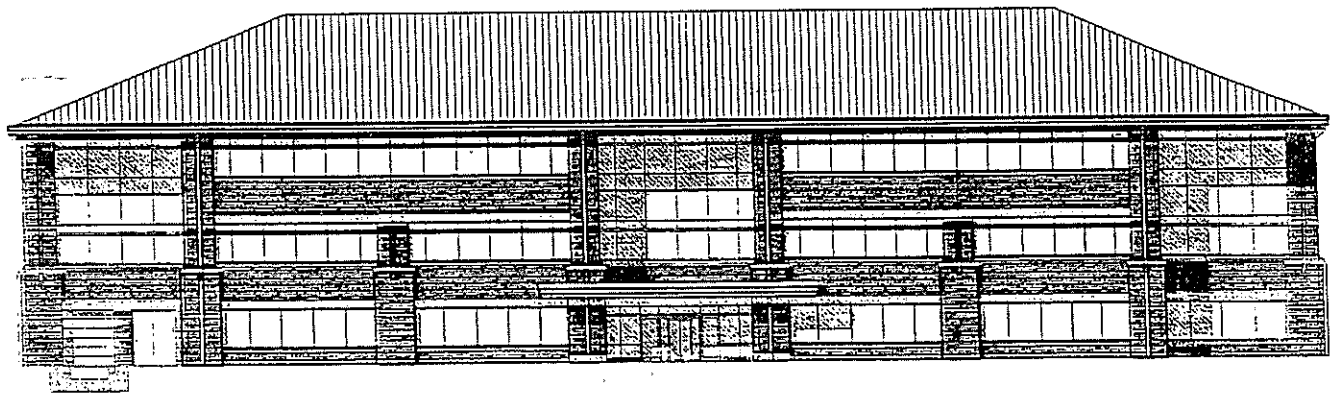
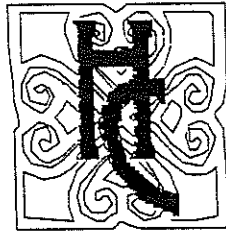
¹⁸ *Id.*

¹⁹ Exhibit H.

EXHIBIT A

[Detailed Plan Development – 9000 Chester St.]

HONEYCREEK IV CORPORATE CENTER



DETAILED PLANNED
DEVELOPMENT SUBMITTAL



January 11, 2002

EXHIBIT A

File No.

011153

PROJECT DESCRIPTION AND OWNER'S STATEMENT OF INTENT

Introduction - Detailed Plan

The subject site, for the Detailed Planned Development known as Honey Creek IV is approximately 3.13 acres (as defined in Exhibit "A") adjacent to the 22.5381 acres that comprised the Honey Creek Development [Phase I, II, & III]. Honey Creek IV will consist of one (1) building with three above grade levels of not more than 61,937 square feet of above grade space to be used for suggested permitted occupancies as shown on Exhibit "B". The use of landscaping and quality architecture creates an atmosphere conducive with the surroundings and the individual components of the project.

The property included in the Detailed Planned Development, as shown on Exhibit "C" Vicinity Map, is located north of the East-West Freeway (I-94) lying between South 84th west off of the existing frontage road known as Chester Street which will connect to the south of the property.

Our plans for the Chester Street access shall include two 24' wide entrance drives with curb at each side (see Drawing 01). Traffic flow access to the southern entrance shall be accessible from South 92nd Street by means of Chester Street, and from South 84th Street by means of the access road from Dana Court. Both the access road from Dana Court and the access road from Chester Street were constructed as part of the Honey Creek Development [Phase I, II, & III].

As outlined in the "Out of Program Agreement" between Opus North Corporation and the City of Milwaukee, during Phase II of the Honey Creek Development [Phase I, II, & III] a traffic signal at the intersection of South 84th Street and Dana Court has been installed with interconnection to the traffic signal at west Bluemound Road and Glenview Avenue including a fire department override. A southbound left turn lane has been constructed at the intersection of South 92nd Street and Chester Street.

Site Plan

Drawing 01 delineates the proposed building footprint and parking detail relating to Honey Creek IV.

Topography

The existing topography as well as planned grading is shown on Drawing 02. The site survey (see drawing 04) shows existing buildings to be raised prior to construction as to develop the Honey Creek IV development.

Landscaping

Landscaping for the Honey Creek IV development is included on the attached Landscape Drawing 06. The developer agrees to make minor modifications as necessary to arrive at a mutually acceptable plan. Landscaping work for Honey Creek IV will continue the theme established in the preceding Honey Creek Development [Phase I, II, & III].

Lighting

Lighting is shown on the attached site lighting Drawing 05. Exhibit "D" is indicative of the style of lighting fixture that was used in the adjacent Honey Creek Development [Phase I, II, & III].

Signs

The Honey Creek IV building signage shall be identical to the signage currently in place within the Honey Creek Development [Phase I, II, & III]. Honey Creek IV building identification signs is requested as follows:

Chester Street Identification Sign: The Chester Street identification sign is located along the northern edge of Chester Street. This illuminated sign is constructed of similar materials as those utilized on the building structure and site.

Building Identification Signs: The building shall have a building identification sign located directly adjacent to the building entrance as shown on Drawing 01. The sign shall be a panel sign constructed of anodized sheet metal. Individual tenants as well as building designation shall be listed on these signs.

Tenant Signage: One (1) tenant specific sign shall be mounted to the building. The sign will feature the major tenant name only and will consist of individually mounted metal letters. Each letter will be internally illuminated. The Honey Creek IV building will have 24in high letters and will be offset to the left on the east elevation of the architectural precast at the 3rd floor level. The length of the sign depends on the number of letters in the tenants name but will in no case be longer than 35ft. This is the length of the precast panel that is located on the south elevation of the building. The sign will not cross precast panel joints where there is a change in precast panel colors.

Plans and specification will be submitted for final approval so as to meet or exceed all city requirements. Signage shall be included with each Statement of Intent for future Detailed Planned Developments in accordance with city requirements on an individual project basis. All permanent signage shall be submitted in detail and worked out with City staff.

OPUS NORTH CORPORATION



Darrell K. Kurzka
Associate Project Manager

*Suggested Permitted Uses for
Honey Creek IV*

Banking (Group 60)

- 6011 Federal Reserve Banks
- 6022 State banks, members of the Federal Reserve System
- 6023 State banks, not members of the Federal Reserve System, insured by the Federal Deposit Insurance Corporation
- 6024 State banks, not members of the Federal Reserve System, not insured by the Federal Deposit Insurance Corporation
- 6025 National banks, members of the Federal Reserve System
- 6026 National banks, not members of the Federal Reserve System, insured by the Federal Deposit Insurance Corporation
- 6027 National banks, not insured by the Federal Deposit Insurance Corporation
- 6028 Unincorporated private banks, not insured by the Federal Deposit Insurance Corporation
- 6032 Mutual Savings banks, members of the Federal Reserve System
- 6033 Mutual Savings banks, not members of the Federal Reserve System, insured by the Federal Deposit Insurance Corporation
- 6034 Mutual Savings banks, not insured by the Federal Deposit Insurance Corporation
- 6042 State non-deposit trust companies, members of the Federal Reserve System, insured and not insured
- 6044 State non-deposit trust companies, not insured by the Federal Deposit Insurance Corporation
- 6052 Foreign exchange establishments
- 6054 Safe deposit companies
- 6055 Clearing house associations
- 6056 Corporations for banking abroad
- 6059 Establishments performing functions closely related to deposit banking, not elsewhere classified

Credit Agencies Other Than Banks (Group 61)

- 6122 Rediscount and financing institutions for credit agencies (other than banks) not primarily associated with agricultural credit
- 6113 Rediscount and financing institutions for credit agencies (other than banks) primarily associated with agricultural credit
- 6122 Federal savings and loan associations
- 6123 State savings and loan associations, insured by the Federal Savings and Loan Insurance Corporation
- 6124 State savings and loan associations, not insured, members of the Federal Home Loan Bank System

- 6125 State savings and loan associations, not insured, not members of the Federal Home Loan Bank System
- 6131 Agricultural credit unions
- 6142 Federal credit unions
- 6143 State credit unions
- 6144 Industrial loan companies not engaged in deposit banking
- 6145 Licensed small loan lenders
- 6146 Installments sales finance companies
- 6149 Miscellaneous personal credit institutions
- 6153 Short-term business credit institutions
- 6159 Miscellaneous business credit institutions
- 6162 Mortgage bankers and loan correspondents
- 6163 Loan brokers

Security and Commodity Brokers, Dealers Exchanges and Services (Group 62)

- 6211 Security brokers, dealers, and flotation companies
- 6221 Commodity contracts brokers and dealers
- 6231 Security and commodity exchanges
- 6281 Services allied with the exchange of securities or commodities

Insurance (Group 63)

- 6311 Life insurance
- 6321 Accident and health insurance
- 6324 Hospital and medical service plans
- 6331 Fire, marine, and casualty insurance
- 6351 Surety companies
- 6361 Title insurance
- 6371 Pension, health, and welfare funds
- 6399 Insurance carriers, not elsewhere classified

Combination of Real Estate, Insurance, Loans, Law Offices (Group 66)

- 6611 Combination of real estate, insurance, loans, law offices

Business Service Equipment (Group 73)

- 7311 Advertising agencies
- 7312 Outdoor advertising agencies
- 7313 Radio, television, and Publishers' Advertising Representatives
- 7319 Advertising, not elsewhere classified
- 7321 Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies
- 7331 Direct mail advertising services
- 7332 Blueprinting and photocopying services

- 7333 Commercial photography, art, and graphics
- 7339 Stenographic services, and duplicating services, not elsewhere classified
- 7341 Window cleaning
- 7342 Disinfecting and exterminating services
- 7349 Cleaning and maintenance services to dwellings and other buildings, not elsewhere classified
- 7351 News syndicates
- 7361 Employment agencies
- 7362 Temporary help supply services
- 7369 Personnel supply services, not elsewhere classified
- 7372 Computer programming and other software services
- 7374 Data processing services
- 7379 Computer related services, not elsewhere classified
- 7391 Research and development laboratories
- 7392 Management, consulting and public relations services
- 7393 Detective agencies and protective services
- 7394 Equipment rental and leasing services
- 7395 Photofinishing laboratories
- 7396 Trading stamp services
- 7397 Commercial testing laboratories
- 7399 Business services, not elsewhere classified

Legal Services (Group 81)

- 8111 Legal services

Educational Equipment and Supplies (Group 82)

- 8241 Correspondence schools
- 8243 Data processing schools
- 8244 Business and secretarial schools

In addition to the above (if not listed)

Internally located service businesses which are normally required in a major office complex but will not have direct exterior access or advertising.

These may include an on-site Day Care Provider, News Stand, Travel Agency, Copy Center or similar on-site provider.

EXHIBIT B

[Certificate of Occupancy – Computer Training.Com]



Department of City Development
(414) 286-8211

This Certificate of Occupancy shall be posted in a conspicuous place in the building or structure, or on the premises. The certificate is issued subject to any conditions listed below.

If this business is a convenience store, filling station, personal service establishment, or restaurant, operation is prohibited between 12 midnight and 5 a.m., unless the business has obtained a 24-hour establishment license from the City of Milwaukee.

Marilyn Herzberg
Geneva Honey Creek III, LLC
115 S. 84th St, Suite 315
Milwaukee, WI 53214



City of Milwaukee
Department of
City Development

CERTIFICATE OF OCCUPANCY

Location: 135 S. 84TH ST. **Issued:** September 18, 2008 **#798715**
Issued to: Computer Training.Com
Area: Southeast corner of the first floor
Use: School, specialty/personal instruction

NOT TRANSFERABLE

*Occupancy must conform with provisions of chapters 200 and 295 of the building and zoning code. This certificate affects only the use of the premises and does not permit to conduct a licensed business or one prohibited by law.

EXHIBIT C

[Certificate of Occupancy – Strayer University]



Department of City Development
(414) 286-8211

This Certificate of Occupancy shall be posted in a conspicuous place in the building or structure, or on the premises. The certificate is issued subject to any conditions listed below.

If this business is a convenience store, filling station, personal service establishment, or restaurant, operation is prohibited between 12 midnight and 5 a.m., unless the business has obtained a 24-hour establishment license from the City of Milwaukee.

Cory Pederson
Inland Construction
1243 N 10th St #300
Milwaukee, WI 53205



City of Milwaukee
Department of
City Development

CERTIFICATE OF OCCUPANCY

Location: 9000 W. CHESTER ST. **Issued:** October 14, 2010 **#873155**

Issued to: Strayer University

Area: N & W portions of 3rd floor

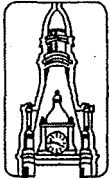
Use: College or university (Offices and classrooms)

NOT TRANSFERABLE

*Occupancy must conform with provisions of chapters 200 and 295 of the building and zoning code. This certificate affects only the use of the premises and does not permit to conduct a licensed business or one prohibited by law.

EXHIBIT D

[Certificate of Occupancy – Lakeland College]



City
of
Milwaukee

Dept. of Neighborhood Services
Development Center
(414) 286-8207

This Certificate of Occupancy shall be posted in a conspicuous place in the building or structure, or on the premises. The certificate is issued subject to any conditions listed below.

If this business is a convenience store, filling station, personal service establishment, or restaurant, operation is prohibited between 12 midnight and 5 a.m., unless the business has obtained a 24-hour establishment license from the City of Milwaukee.

Rich Haen
Lakeland College
9000 W. Chester Street
Suite 300
Milwaukee, WI 53214



City
of
Milwaukee

Dept. of Neighborhood Services - Development Center

CERTIFICATE OF OCCUPANCY

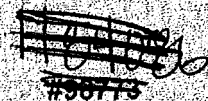
DNS-174

Location: 9000 W. CHESTER ST. Issued: March 30, 2015

Issued to: Lakeland College

Area: Entire third floor

Use: College or university (commercial general office space)



NOT TRANSFERABLE

*Occupancy must conform with provisions of chapters 200 and 295 of the building and zoning codes. This certificate affects only the use of the premises and does not permit the operation of a licensed business or one prohibited by law.



EXHIBIT E

[Commercial Alternation Permit – Arizona College of Nursing]



City of Milwaukee

Department of Neighborhood Services

Commercial Alteration Permit

Permit Number: COM-ALT-23-00075 **Issue Date:** 04/19/2023

Project Location: 9000 - 9000 W CHESTER ST 300 - 300, MILWAUKEE, WI 532141373

Application Name: Arizona College of Nursing Suite 300

Description of Work: COM-ALT 23-00075 – Level 2, type IIB construction, fully sprinklered. Selective demolition of partial first floor and full third floor space including partition walls, doors, and interior finishes. New work includes new partition walls, doors, interior finishes. B occupancy; work area is 9,344 sf. Reviewed for substantial compliance with IEBC-2015, IBC 2015, (as amended by WI SPS 361-366) and ICC/ANSI A117.1-2009).

Issued to:

Matt Bautch
461 River Crest Ct. Mukwonago, WI
53149
Mukwonago, WI 53149

Owner:

GENEVA EXCHANGE FUND L LLC
115 S 84TH ST STE 275
MILWAUKEE, WI 53214-1474

Issued By: SPAGAC

No asbestos project, as defined in Ch. 66 of the Milwaukee Code of Ordinances, is included in the work performed under this permit. I understand that any falsification or misinformation may result in penalties prescribed in the Milwaukee Code of Ordinances

Permits are non-transferrable.
There is no refund for a minimum fee permit.



NOTE: The building owner/operator must conduct a thorough inspection for asbestos-containing material BEFORE WORK BEGINS. A State-certified asbestos inspector is required for this inspection. Check on the State of Wisconsin website for a list of certified companies. For more information, call (414) 286-3280.

To obtain more information about this permit or to schedule a required inspection log on to: www.Milwaukee.gov/LMS or call (414) 286-2513

Permits expire if work is not started within 6 months of issuance or if new construction ceases more than 3 months.

**Permits are non-transferrable.
There is no refund for a minimum fee permit.**



HUSCH BLACKWELL

EXHIBIT F

[Plan Approval Letter – Arizona College of Nursing]



City of Milwaukee
Department of Neighborhood Services

Plan Approval Letter

April 19, 2023

MATT BAUTCH

Arizona College of Nursing Suite 300

Record #: COM-ALT-23-00075
Address: 9000 W CHESTER ST 300

Scope of Work: COM-ALT 23-00075 – Level 2, type IIB construction, fully sprinklered. Selective demolition of partial first floor and full third floor space including partition walls, doors, and interior finishes. New work includes new partition walls, doors, interior finishes. B occupancy; work area is 9,344 sf. Reviewed for substantial compliance with IEBC-2015, IBC 2015, (as amended by WI SPS 361-366) and ICC/ANSI A117.1-2009).

Dear MATT BAUTCH,

The plan review for this project is complete and conditionally approved, subject to the following conditions:

- Partitions shall be capable of resisting applicable loads in accordance with IEBC-2015 801.3 & IBC-2015 Sections 1606 and 1607.
- Acoustical materials complying with the interior finish requirements of 2015 IBC Section 803 shall be installed in accordance with the manufacturer's recommendations and applicable provisions for applying interior finish, and with the provisions of ASTM C 635 and ASTM C 636 (2015 IBC Section 808).
- Separate permits required for: fire protection, plumbing, electrical, and HVAC work.
- All work shall be in accordance with 2015 IEBC, 2015 IBC, WI SPS 361.05., ICC ANSI A117.1-2009.
- All of the conditions of approval shall be satisfied during or upon completion of work. A set of approved plans must be kept at the job site at all times during construction.
- (All of the conditions of approval shall be satisfied prior to occupancy of the building.)

If Approved Plans have not been included with this Plan Approval Letter, they may be obtained at the City of Milwaukee Development and Permit Center:, 1st floor, 809 N Broadway. Please refer to the Record Number at the upper right of this letter when picking up plans. The City of Milwaukee Development and Permit Center is open Mon.-Fri.; 8:00 a.m. to 4:30 p.m. for customer assistance. For further questions please call (414) 286-8207

A set of approved plans is required to be kept at the job site at all times during construction. To obtain the permit and schedule inspections click on the Record Number above or go to:

<https://milwaukee.gov/lms>

If you have questions regarding the Conditions of Approval stated in this letter you may contact me directly.

Sincerely,

Brian Biernat
bbiern@milwaukee.gov

EXHIBIT G

[Correspondence with City Officials]

From: Connelly, Kristin D. <Kristin.Connelly@milwaukee.gov>

Sent: Monday, October 16, 2023 7:45:24 AM

To: Jay Campbell <Jay@campbellconstructionbbg.com>; Dean, Brian <brdean@milwaukee.gov>

Cc: Monica Martineau <monica@campbellconstructionbbg.com>; Nick Campbell <nick@campbellconstructionbbg.com>; Marilyn Herzberg <marilyn.herzberg@greywp.com>; Matt Bautch <mattb@campbellconstructionbbg.com>; David Baum - Schroeder and Holt Architects Ltd (dbaum@sha-a2k.com) <dbaum@sha-a2k.com>

Subject: RE: Arizona College

Jay,

Thank you for reaching out. The Dept. of City Development's Planning Division was made aware of your occupancy permit application by DNS on 8/28. We immediately began researching the allowable uses in the Honey Creek Planned Development (see attached) and I asked DNS additional questions regarding the proposed use to assist us with our zoning review. I followed up several times with DNS, and ultimately with the supplemental information you provided, DNS concluded that your use is classified as a college. DCD Planning did not sign off on any permits from a use standpoint. A college is not a permitted use per the Honey Creek General Planned Development (GPD), and therefore, requires an amendment to the zoning. That process takes approximately 3 months and entails public hearings before the City Plan Commission and the Zoning, Neighborhoods and Development Committee, as well as Common Council approval.

Regarding the prior tenant that occupied a portion of this building, in 2014ish, an occupancy permit application was made to DNS. Based on the information provided by that applicant, both DNS and DCD concluded that the use was allowed. Different people were in the position of reviewing the application back in 2014 so I do not have the benefit of institutional knowledge as it relates to that tenant/use, but from what we can ascertain, it was determined to be more akin to a personal instruction school, which is allowed per the Honey Creek GPD zoning.

In conclusion, the use you are proposing has been classified by DNS as a college. A college is not a permitted use in the Honey Creek GPD, and because of this, an amendment to the zoning is necessary. The application, schedule, and other helpful information is available on [this page](#). If you would like to discuss this further via phone, we are available after next Tuesday, 10/17. I apologize for the delay, but we have a City Plan Commission meeting today and our planning manager is out of town on business until 10/18.

Thank you,
Kristin

From: Jay Campbell <Jay@campbellconstructionbbg.com>

Sent: Friday, October 13, 2023 3:07 PM

To: Dean, Brian <brdean@milwaukee.gov>; Connelly, Kristin D. <Kristin.Connelly@milwaukee.gov>

Cc: Monica Martineau <monica@campbellconstructionbbg.com>; Nick Campbell <nick@campbellconstructionbbg.com>; Marilyn Herzberg <marilyn.herzberg@greywp.com>; Matt Bautch <mattb@campbellconstructionbbg.com>; David Baum

- Schroeder and Holt Architects Ltd (dbaum@sha-a2k.com) <dbaum@sha-a2k.com>

Subject: Arizona College

Ms. Connelly,

We received the message below from Mr. Dean, this has us very confused, as we have previously received the plan approval and building permit for this project, additionally the tenant that previously occupied this very space was another accredited college (Lakeland College)

I really need to speak with you on this as this is an urgent matter on our end, the tenant is taking possession of a portion of this space on 11/1/23.

Please call me asap.

262-894-4572

Sincerely,

Jay Campbell

President / Founder

Campbell Construction JC INC.

Main Office

461 River Crest Ct.

Mukwonago, WI. 53149

Ph. 262-436-4760

www.campbellconstructionbbq.com

Learn more about our Team myux24~tzyz3rj4GO:sHNdGkt

Florida Office

2981 Blackwater Creek Dr.

Lakeland, FL. 33810

FL. GC Lic # CGC1521554

Check out our sister companies

www.twelve2cq.com

www.mukweld.com

Good afternoon Monica,

With this information in mind, and after hearing back from DCD on the matter, it appears that this occupancy permit was issued in error. A College in the Honey Creek Corporate Center is not a permitted use in the General or Detailed Planned Development zoning for this site. This means that you or the business owner are required to contact the Department of City Development (DCD) to apply for an amendment to the Planned Development before this can be issued.

I have copied Kristin Connelly on this email to keep her in the loop and so that you can easily contact her.

Sincerely,

Brian Dean | AICP

Plan Examiner Specialist – Permit & Development Center

809 N. Broadway, Milwaukee, WI 53202

P: (414) 286-8322



Your opinion is important to us. Please complete our brief [Permit & Development Center survey](#) regarding your recent customer service experience.

EXHIBIT H

[Occupancy Permit – Arizona College of Nursing]



Department of Neighborhood Services
Development Center

Office of the
Commissioner

This certificate of Occupancy shall be posted in a conspicuous place in the building or structure, or on the premises. The certificate is issued subject to any conditions listed below.

If this business is a convenience store, filling station, personal service establishment, or restaurant, operation is prohibited between 12 midnight and 5 a.m., unless the business has obtained a 24-hour establishment license form the City of Milwaukee.

Jay Campbell
461 River Crest Ct
Mukwonago, WI 53149

809 N. Broadway, Milwaukee, WI 53202 | (414) 286-8207



Department of Neighborhood Services - Development Center

CERTIFICATE OF OCCUPANCY

Location: 9000 W CHESTER ST 300

Issued: 10/27/2023

NOCC-23-01798

Issued to: Arizona College of Nursing

Area: Suite 105

Use: General Office

NOT TRANSFERABLE

*Occupancy must conform with provisions of chapters 200 and 295 of the building and zoning codes.

This certificate affects only the use of the premises and does not permit the operation of a licensed business or one prohibited by law.