

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, May 2, 2013
7:00 p.m. - Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I Call to Order

II Roll Call

III Approval of Agenda

At this time the Planning Commission can take action to approve the May 2, 2013 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the April 4, 2013 meeting Minutes.

V Public Hearing

PC-2013-04, Manistee Historic Red School House CDC, 284 First Street – Special Use Permit for Commercial Day Care Facility

A request has been received from Brian and Sue Hamilton – Manistee Historic Red School House CDC, 284 First Street for a Special Use Permit for a Commercial Day Care Facility.

At this time the Chair shall open the hearing.

The Applicant shall present any comments and explanation of the case.

City Staff shall present their report

The hearing will be opened for public comments

The hearing will be closed

VI Public Comment on Agenda Related items

VII New Business

PC-2013-04, Manistee Historic Red School House CDC, 284 First Street – Special Use Permit for Commercial Day Care Facility

A Public Hearing was held earlier in response to a request from Brian and Sue Hamilton – Manistee Historic Red School House CDC, 284 First Street for a Special Use Permit for a Commercial Day Care Facility.

At this time the Planning Commission will take action to approve/deny the request from Brian and Sue Hamilton – Manistee Historic Red School House CDC, 284 First Street for a Special Use Permit for a Commercial Day Care Facility.

VIII Old Business

IX Public Comments and Communications

At this time the Chair will ask if there are any public comments.

X Correspondence

At this time the Chair will ask if any correspondence has been received to be read into the record.

XI Staff/Sub-Committee Reports

At this time the Chair will ask Staff for their report.

At this time the Chair will ask if any of the Sub-Committees have anything to report.

XII Members Discussion

At this time the Chair will ask members of the Planning Commission if they have any items they want to discuss.

XIII Adjournment

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

April 4, 2013

A meeting of the Manistee City Planning Commission was held on Thursday, April 4, 2013 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

Roll Call:

Members Present: Maureen Barry, David Crockett, Bill Dean, Ray Fortier, Marlene McBride, Mark Wittlief, Roger Yoder

Members Absent: None

Others: Steve Brower (representing Arens Investment Company), Brian and Sue Hamilton (284 First Street), Mike Baker (Hooker, Dejong, Inc.), Denise Blakeslee (Planning & Zoning) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Bill Dean that the agenda be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Crockett, Dean, Fortier, McBride, Wittlief, Yoder

No: None

APPROVAL OF MINUTES

Motion by Ray Fortier, seconded by Mark Wittlief that the minutes of the March 7, 2013 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Dean, Fortier, Barry, Crockett, McBride, Wittlief, Yoder

No: None

PUBLIC HEARING

Chair Yoder opened the Public Hearing at 7:03 pm

PC-2013-02 – Arens Investment Company – Alley Vacation Request

A request has been received from Arens Investment Company to vacate that portion of the alley located between lot 1, 2, 3, 4, including the east 18.75 feet of lot 5 and lot 12, 11, 10, 9 including the east 18.75 feet of lot 8, located in Block 9 of Filer and Tyson's Addition to the City of Manistee.

Steve Brower, representative for Arens Investment Company spoke to Mr. Arens before the meeting and under the circumstances requested the Planning Commission to postpone deliberation on the request until the June 6, 2013 Planning Commission Meeting when Mr. Arens could be present. Letter received from Mr. Arens - attached

Denise Blakeslee, Planning & Zoning – Ms. Blakeslee said that the Commission should conduct the Public Hearing so any person who was concerned about the request would have the opportunity to speak to the commission and it would meet the noticing requirements in the even the Planning Commission were to postpone deliberation until June.

Copies of the request were forwarded to **Director of Public Safety Dave Bachman** who stated *"It would be difficult to support just vacating an alley from our perspective without knowing the intended use or the impact of that use on other buildings. From that standpoint alone I as public safety wouldn't be able to support the vacation. Not near enough information for me to make that decision."*

Utility Director Jeff Mikula reviewed and responded to the request – copy of memo attached. She received an email before the meeting that reads:

"We have opened the manhole. It is full of debri and we are not able to determine if it is active until it is cleaned. There is also an adjacent catch basin full of debri and needs to be determined if it tied to the sanitary sewer. The request in my previous memo stands. I can schedule the cleaning next week."

There are several things that the Commissioners need to consider when be considered when reviewing the request.

- What is the intended use for the property?
- Are there any utilities located in the alley? When vacating streets or alleys we always reserve any existing utility easements, under Council's authority as contained in Public Act 288 of 1967, MCL 560.256, and Section 13-3 of the City of Manistee Charter. Will this condition affect the applicant's ability to use the property?
- How will eliminating the alley affect access for the remaining property owners?

Also Ms. Blakeslee wanted to clarify a statement in Mr. Arens letter regarding the Hotel Chippewa being constructed over the alley. She had asked the Museum Director to review the Sandborn Maps and it was determined that the Hotel was not constructed over the alley.

Chair Yoder opened the hearing for public comments.

None

Chair Yoder asked if any correspondence had been received in response to the request.

Robert & Donna Thomas, owner of 471 Water Street (adjoining property) - attached
Travis Alden, Director, Manistee Main Street Downtown Development Authority - attached

There were no more additional comments; the Public Hearing was closed at 7:10 pm.

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

PC-2013-02 – Arens Investment Company – Alley Vacation Request

Earlier in the evening a Public Hearing was held in response to a request from Arens Investment Company for an Alley Vacation Request.

MOTION by Ray Fortier, seconded by Mark Wittlief that the Planning Commission postpone action on the Alley Vacation Request from Arens Investment Company until the June 6, 2013 Planning Commission Meeting.

With a Roll Call vote this motion passed 7 to 0.

Yes: McBride, Wittlief, Dean, Fortier, Barry, Crockett, Yoder

No: None

Staff is to notice all the property owners in the block that deliberation on the request will take place at the June Meeting.

The Woda Group, Inc. – Manistee Place PUD (former Chalet West Apartments)

A request has been received from the Woda Group, Inc. – Manistee Place to relocate the basketball court, playground and picnic area. Staff is forwarding the request to the Planning Commission for review.

Mike Baker, Hooker DeJong, Inc. – Mr. Baker presented the request to the Planning Commission. The previous location has significant changes in topography that would require retaining walls and switchbacks for ADA access. The new location is level and provides ADA access to the area. After discussion with staff they included a fence six feet in height, 75 feet in length.

Discussion about the fencing and if additional fencing/gates should be required.

MOTION by Dave Crockett, seconded by Mark Wittlief to approve the relocation of the basketball court, playground and picnic area at Manistee Place (former Chalet West Apartments) with the understanding that fencing options will be approved by staff.

With a Roll Call vote this motion passed 7 to 0.

Yes: Fortier, Barry, Crockett, McBride, Wittlief, Dean, Yoder
No: None

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

Brian and Sue Hamilton, Manistee Historic Red School House, CDC – Mr. & Mrs. Hamilton have renovated the building at 284 First Street for a Child Development Center. They did not realize that a Special Use Permit was required for their facility. They are working on the request so it will be on the May Planning Commission Meeting.

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning – Reminder of Workshop on April 25th 6 – 8 pm Zoning Administration, attending will earn Citizen Planner Credits. On April 10th both Ms. Blakeslee and Chair Yoder will attend the first Lakes to Land Meeting.

MEMBERS DISCUSSION

Commissioner Dean reported to the Commission about a meeting he attended and was appointed as a member for the roundabout at First Street Beach. This group is working on what should be placed in the roundabout; looking for artists; will have an online poll to select artwork at the end of summer; hope to have installed by Spring 2014.

The Planning Commission will hold a Worksession on April 18, 2013

The next regular meeting of the Planning Commission will be held on Thursday, May 2, 2013

Meeting adjourned at 7:50 pm

Worksession - Notes

Worksessions are scheduled to allow the Planning Commission the opportunity to discuss in a less formal manner than a regular meeting. No motions can be made during a Worksession.

Master Plan Update – Travis Alden MSDDA Director welcomes a Worksession with the MSDDA Board. Ms. Blakeslee will contact Mr. Alden to try to coordinate a date.

ADJOURNMENT

MOTION by Ray Fortier, seconded by Marlene McBride that the meeting/worksession be adjourned.

Adjourned at 8:00 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary

Arens Investment Company

a Michigan Limited Liability Corporation – 2110 Crescent Beach, Manistee, MI 49660

March 25, 2013

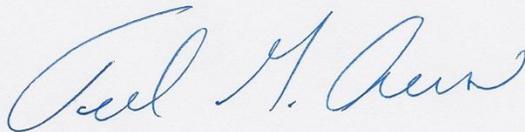
Manistee Planning Commission
70 Maple Street
Manistee, MI 49660

Dear Board Members,

Arens Investment entered into an agreement with the Bankruptcy Trustee Kelly M. Hagan on January 5, 2013. A contingency of that sale is the vacation of the alley that separates the lots I am buying. We do not seek to vacate any other portion of the alley, including the portion that exits between Thomas property and Spruce Street.

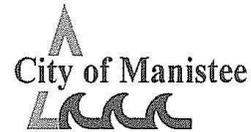
As of today, there is no intent to build on the property in the near future. I believe that the best use of the property today would be to build condos with possibly a couple of small coffee or bakery stores. This will not be possible currently because of the glut of empty stores and condos in Manistee. I do however have an interest in seeing that Manistee downtown succeeds and would be willing to work/invest with anyone who has a good idea. If no interested parties come forward I would develop the property in the future.

The vacating of the alley will allow for maximum flexibility for the use of the property. I believe the case could be made that the alley was vacated a long time ago because the Chippewa Hotel was built on that alleyway.



Ted Arens
General Partner

MEMO TO: Denise Blakeslee, Zoning Administrator
FROM: Jeffrey W. Mikula, Utility Director
DATE: March 27, 2013
SUBJECT: Aren's Investment Company
Alley Vacation Request



Utility Director's Office

231-723-7132

Upon your request we have reviewed the request to vacate the alley between Pine St and Spruce St. along the block from Water St. to First St. A review of the City water and sewer Atlas' does not indicate City water or sewer mains. However, in discussing with Department of Public Works staff, they recall a sewer manhole located within the alley. It is believed that this sewer flows east to Pine St. The manhole is covered with snow and we have scheduled a crew to locate the manhole and determine if there are any live connections to the line.

Should the line only serve the former building, we would consider removal of the line to support future development. Until that time, we request that the alley vacation not be granted, or if granted, be replaced with a 20 ft utility easement.

3/22/2013

Manistee City Planning Commission
70 Maple Street
Manistee, Michigan 49660

Robert & Donna Thomas
815 Dinsen Street
Manistee, Michigan 49660

We are responding to the proposed vacating of the alley way located between Lot 1, 2, 3, 4, including the East 18.75 feet of Lot 5 & Lot 12, 11, 10, 9, including the East 18.75 feet of Lot 8, located in Block 9 of Filer & Tyson's Addition to the City of Manistee, also known as the alley way behind the former Chippewa Hotel/Coral Gables. We are probably the only property owners on this block directly affected by this proposal. But, it is not without saying that other neighbors will be affected indirectly. We use this west alley way to access our present parking lot and back entrance (Spruce St.) to our Building. Parking surrounding the block is premium. Our neighbor, the business to our West, utilizes the Johnson Funeral Home Parking Lot except during a funeral. During a funeral the parking situation on Spruce St. is very congested. At present, the alley way gives us the option for huge trucks/trailers to drive thru the Alley Way, both directions. However, if we are denied access to our property through the alley way as proposed, we would have to design a new drive approach to our entrance there by losing two parking places on Spruce St. and indirectly affecting our neighbors.

Doing the new driveway approach then makes it possible to back up such vehicles but affecting our neighbors and us.

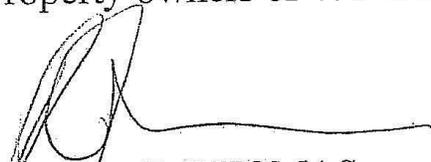
Historically, this alley was plotted as were others before the present fire dept. even existed as far back as when fire bucket brigades were formed to the river to fight fires. That alley is there for a reason, and that being SAFETY! It was I that reported and started to fight the fire when the grocery store that was on First Street was on fire and it was Bob Hornkohl who quickly came to my aid before the fire dept could respond to the alley way just behind the fire. When the fire happened at the hotel we didn't have a ladder fire truck at that time but relied on Consumers power for their assistance. Even now, with that equipment present at our fire dept., it seems to me getting closer to the fire would be of great importance. I believe that alley could be moved, but to vacate it before we know how the property is to be used is premature aka the cart is before the horse.

After the hotel fire, the city became the owners of said property, but gave it away for the cost of the cleanup to Bill Seng and ever since it has sat empty except for overflow parking and certain city events. Several projects failed over the years and it is time to get this property back on line. We don't want to look like Detroit and it is a blight that needs the "Tuesday Committee". I do certainly salute Ted Arens, for his efforts in doing just that but am not completely on board until it is known the purpose and use of the property. I openly greet the opportunity to work with Ted Arens to resolve these issues we both have.

We have always thought that the City missed a chance to place a combined police/fire dept. with the city offices on this property. Could it be possible now, maybe now could be a second opportunity?

We hope the Planning Commission will take our comments under consideration and not recommend that the alley vacating go forward.

(Property owners of 471 Water St.)



ROBERT F. THOMAS



DONNA J. THOMAS

Downtown Manistee

Manistee Main Street
Downtown Development Authority
11 Cypress Street
Manistee, MI 49660
231-398-3262

March 29, 2013

Mr. Ted Arens, General Partner
Arens Investment Company, LLC
2110 Crescent Beach
Manistee, MI 49660

Dear Mr. Arens:

I read your letter addressed to the City of Manistee Planning Commission (included in the Commission's April 4, 2013 meeting packet) concerning your request to vacate the alley on the former Hotel Chippewa lot on the west end of Downtown Manistee. Based on your letter it seems your company is in the process of purchasing said property. I had heard something along these lines "through the grapevine" but it is nice to have it confirmed via the letter.

Your letter indicates a desire to see Downtown Manistee succeed, which we as an organization certainly appreciate. We're happy to report that over the last couple of years the vacancy rate in Downtown Manistee has declined by almost 10%, with more progress anticipated yet this spring and summer. Our recent efforts to recruit a quality owner-operator for the former Tuscan Grille property has resulted in the Blue Fish Kitchen development, which plans to open this summer.

At the Main Street DDA board's annual strategic planning retreat in January, the board identified a short list of "catalyst redevelopment projects" to be priorities for our revitalization work. The property you are in the process of purchasing is on that list.

This provides us with a key opportunity to possibly collaborate on a vision for that property which can meet everyone's goals and objectives. On behalf of the MSDDA board, I'd like to invite you to meet sometime soon to discuss your ideal plans for the property, what we can possibly assist with, analysis data we have that might help with your plans, and the like.

Please feel free to contact me with any questions you may have, and ideally to set up an informal meeting. My contact information is at the top of this letter. Thank you for your time Mr. Arens, I look forward to hearing from you.

Sincerely,



Travis B. Alden
Director, Manistee Main Street Downtown Development Authority

Cc: Jeff Reau, MSDDA Chair; Denise Blakeslee, City of Manistee



CITY OF MANISTEE PLANNING COMMISSION WORKSESSION

70 Maple Street, Manistee, MI 49660

April 18, 2013

NOTES

A Worksession of the Manistee City Planning Commission was held on Thursday, March 21, 2013 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:03 by Chair Yoder

Roll Call:

Members Present: Maureen Barry, David Crockett, Ray Fortier, Marlene McBride, Mark Wittlief, Roger Yoder

Members Absent: Bill Dean

Others: Travis Alden (Main Street/DDA Director), Jeff Rau (Chair Main Street/DDA), Dave Carlson, and Denise Blakeslee (Planning & Zoning)

Master Plan

Travis Alden, Main Street/DDA Director – Gave a presentation to the Commission on the Main Street program and scope of work including:

- Main Street/DDA Mission Statement
- Fourth year of program (applied for Main Street in 2008), Mr. Alden was hired in 2009
- Main Street/DDA Nine Member Board
- Main Street is a grass roots/volunteer based program, Mr. Alden is only employee
- Annual Evaluation - Achieved National Accreditation
- Funding/Revenue Sources
- Four Point Approach – (Sub-committees) Design Committee – update on activities; Organization Committee – volunteers, recruitment; Economic Restructuring Committee – catalyst properties (Success stories Vogue Theatre, Blue Fish); Promotion Committee – events, marketing campaign

Mr. Alden and Jeff Rau, Chair Main Street/DDA answered the commissioner's questions.

Denise Blakeslee and Roger Yoder attended the first Lakes to Land Meeting and reported to the Commission.

ADJOURNMENT - The Worksession adjourned at 8:23 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary



MEMORANDUM

Planning & Zoning
 Community Development
 231.398.2805
 Fax 231.723-1546
 www.manisteemi.gov

TO: Planning Commissioners

FROM: Denise Blakeslee, Planning & Zoning

DATE: April 15, 2013

RE: Special Use Permit Request - 284 First Street

Commissioners, we have received a request from Brian and Sue Hamilton, 284 First Street for a Commercial Day Care Facility and single unit apartment at the building at 284 First Street (Former School House Store).

The Building at 284 First Street is located in the C-2 Commercial Zoning District. A Commercial Day Care Facility is permitted as a Special Use in the C-2 District. A Public Hearing notice was prepared and sent to the newspaper for publication; notice was sent to owners/occupants within 300 feet of the property and posted on the City web page. A copy of the request was sent to the Director of Public Safety and the Utility/Interim DPW Director for their review.

Staff review of the request and site plan includes the following:

Section 514 Vehicular Parking Space, Access, Pike Parking and Sidewalks does not specify the number of parking spaces required for a Commercial Day Care Facility, while the apartment requires two off street parking spaces. Item B. allows the Zoning Administrator, subject to Planning Commission concurrence to determine if parking is sufficient. The Facility is licensed with the State for up to 60 children with a breaks down in ages as follows:

Classification	Capacity	Ratio	Total Caregivers at Capacity
Infant Young Toddler	Capacity of 8 children	1 Caregiver for 4 Children or Each fraction of 4	2
Older Toddler Area	Capacity of 8 children	1 Caregiver for 8 Children or Each fraction of 8	1
Three Year Old Room	Capacity of 20 children	1 Caregiver for 10 children or Each fraction of 10	2
Four Year Old Room	Capacity of 24 children	1 Caregiver for 12 children or Each fraction of 12	2
	60 children		7 caregivers

The Site Plan provides for 14 standards spaces and one van-accessible Handicap Space for a total of 15 spaces. Staff feels that 15 parking spaces should meet the needs of the Commercial Day Care Facility and apartment. Planning Commission will need to concur with staff in order for the Special Use Permit to be issued.

Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks:

- E. Off-street parking areas for all uses requiring City approval shall be paved with concrete or bituminous material with approved curbing and painted parking lines. Parking areas with ten (10) or more spaces shall include designated pedestrian walkways through the parking lot in addition to landscaped planting islands and perimeter buffers in accordance with Section 531, in all instances where sufficient space is available.



The Site Plan includes striping in front of each entrance, but does not continue through the parking lot. The Planning Commission will need to determine if the striping is adequate to meet the standards of Section 514.E.

Example of a Designated Pedestrian Walkway through the Arthur Street Boat Launch Parking Lot

The following standards have been reviewed by staff and require Planning Commission review and will be part of the Resolution to approve, approve with conditions or deny the request.

SECTION 1825 DAY CARE, COMMERCIAL

A. Definition. A commercial facility which is not a private home and in which at least thirteen (13) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian.

B. Regulations and Conditions.

1. All required state and local licensing shall be maintained at all times. **Applicant has received a Child Care Center with a capacity of 60 from the Michigan Department of Human Services Bureau of Children and Adult Licensing License #DC510337108.**
2. All outdoor areas used for care and play area shall have appropriate fencing for the safety of the children. Such fence shall consist of a 6-foot high opaque fence along the area adjoining another residence, and a 4-foot to 6-foot high fence in the rear yard and in the side yard up to the front building line. Play areas abutting a public right-of-way shall be prohibited. **The site plan shows a 4 ft chain link fence with gates located in the front of the building stopping at the 4 foot front yard set-back.**

3. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from any lot line. **Applicant is not using a dumpster, tidy totes will be used.**
4. Such facilities shall be located at least 1,500 feet from any one of the following:
 - a. A licensed or pre-existing operating group or commercial day-care home.
 - b. An adult foster care facility.
 - c. A facility offering substance abuse treatment and rehabilitation service to 7 or more people.
 - d. A community correction center resident home halfway house or similar facility under jurisdiction of the County Sheriff or the Department of Corrections.

While Five Cap is within the 1,500 feet staff determined that it is a Pre-School rather than a Day Care Facility.

5. Such facilities shall at all times be maintained in a manner consistent with the character of the surrounding neighborhood. **Existing Building and Parking Lot.**
6. The Planning Commission shall not prohibit evening operations completely, but may establish limitations on hours of operation and/or activities between the hours of 10PM and 6AM. **The applicant's license with the state describes hours of operation for the program as "Monday through Friday from 6:00 am until 6:00 pm."**
7. All parking areas shall comply with the provisions of **Section 514** of this Zoning Ordinance. **See Site Plan Review Comments**
8. Commercial Day Care facilities shall front on and be accessed from a key street segment, as defined herein. **Property fronts on First Street which is a Key Street Segment.**
9. All signs shall comply with **Article 21** of this Ordinance. **When applicant is ready to install signage it will require a sign permit and will be reviewed by staff for compliance with Article 21.**
10. Landscaping and Buffering shall be provided in accordance with **Section 531** of this Zoning Ordinance. **Applicant addressed landscaping in their narrative as follows:**

"There is some existing landscaping around the building, some of which will be taken out as it is overgrown and not appropriate. Any new landscaping will be done keeping the historic integrity of the building in mind and enhancing the neighborhood and surrounding areas. Any new landscaping will not create any visual or physical barriers and will be in accordance with the existing zoning requirements."

R 400.5201a Ratio of caregivers to infants/young toddlers/older toddlers.

Rule 201a. (1) At least 2 staff members, 1 of whom is a caregiver, shall be present at all times when at least 3 children between the ages of birth and 3 years of age are present.

- (2) The ratio of caregivers to children present at all times shall be based on the following provisions:
 - (a) For infants and young toddlers, 0 to 29 months, there shall be 1 caregiver for 4 children or each fraction of 4, including children who are related to the staff and the licensee.
 - (b) For older toddlers, 30 to 35 months, there shall be 1 caregiver for 8 children or each fraction of 8, including children who are related to the staff and the licensee.
 - (c) Children who have reached 33 months of age may be enrolled in a 3-year-old classroom with written parental permission. Ratios for 3-year-olds shall apply.
- (3) If there are children of mixed ages in the same room or in a well-defined space, then the ratio shall be determined by the age of the youngest child.

R 400.5201b Group size for infants; young toddlers; older toddlers.

Rule 201b. (1) The center shall assure that the maximum group size for infants and young toddlers is 12.

- (2) The center shall assure that the maximum group size for older toddlers is 16.
- (3) Centers shall have 1 year from the effective date of these rules to comply with this rule.

R 400.5303a Ratio of caregivers to school-age children.

Rule 303a. (1) The ratio of caregivers to school-age children present at all times shall be based upon all of the following provisions:

- (a) For children school-age up to 12 years of age, there shall be 1 caregiver to 18 children or a fraction thereof, including children who are related to the staff and the licensee.
- (b) For children from 13 to 17 years of age, there shall be 1 caregiver for 25 children or a fraction thereof, including children who are related to the staff and the licensee.

R 400.5611 Caregiver-to-child ratio and supervision.

Rule 611. (1) The ratio of caregivers to children at all times, who are in transit, shall be based on the following provisions:

- (a) For infants and young toddlers, there shall be 1 caregiver for 4 children or each fraction of 4, excluding the driver.
- (b) For older toddlers, there shall be 1 caregiver, excluding the driver, for 8 children or each fraction of 8.
- (c) For children 3 years of age, there shall be 1 caregiver, including the driver, for 10 children or each fraction of 10.
- (d) For children 4 years of age, there shall be 1 caregiver, including the driver, for 12 children or each fraction of 12.
- (e) For school-age children, there shall be 1 caregiver, including the driver, for 18 children or each fraction of 18. This requirement does not apply when school-age children are transported to and from school on public school transportation or are using public transportation.
- (f) An additional adult is not required if only 1 child under 36 months of age is transported.
- (g) Children who are related to the caregiver or licensee shall be counted in these ratios.
- (2) Additional staff members or volunteers shall be all of the following:
 - (a) At least 16 years of age.
 - (b) Seated with the children.
 - (c) Responsible for the supervision of the children.
- (3) When children are entering or leaving the motor vehicle, the following safety precautions shall be taken:
 - (a) The accompanying staff member, volunteer, or driver shall assure that the children are received by a staff person, parent, or other person as designated by the parent.
 - (b) Children shall enter and leave the motor vehicle from the curbside unless the vehicle is in a protected parking area or driveway.
 - (c) Children shall not be left unattended in a motor vehicle.
- (4) When children under school-age are entering or leaving the motor vehicle, the children shall be carried or helped into and out of the motor vehicle.



RICK SNYDER
GOVERNOR

State of Michigan
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING



MAURA D. CORRIGAN
DIRECTOR

February 12, 2013

AMENDED REPORT

Suzanne Hamilton
284 First Street
Manistee, MI 49660

RE: Application #: DC510337108
Manistee Historic Red School House CDC
284 First Street
Manistee, MI 49660

Dear Suzanne Hamilton:

This report was amended to correct the licensee mailing address.

Attached is the Original Licensing Study Amended Report for the above referenced facility. The study has determined substantial compliance with applicable licensing statutes and rules. Therefore, a provisional license with a maximum capacity of 60 is issued.

Please review the attached documentation for accuracy and feel free to contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please feel free to contact the local office at (231) 922-5309.

Per MCL 722.113g, this report must be filed in your Licensing Notebook.

Sincerely,

Beverly McSauby, Licensing Consultant
Bureau of Children and Adult Licensing
Suite 11
701 S. Elmwood
Traverse City, MI 49684
(231) 342-4937

enclosure

**MICHIGAN DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING
LICENSING STUDY REPORT**

I. IDENTIFYING INFORMATION

License #:	DC510337108
Applicant Name:	Suzanne Hamilton
Applicant Address:	284 First Street Manistee, Mi. 49660
Applicant Telephone #:	(231) 299-1400
Administrator/Licensee Designee:	N/A
Name of Facility:	Manistee Historic Red School House CDC
Facility Address:	284 First Street Manistee, MI 49660
Facility Telephone #:	(231) 299-1400
Application Date:	10/05/2012
Capacity:	60
Program Type:	CHILD CARE CENTER

II. METHODOLOGY

10/05/2012	Enrollment
01/14/2013	Inspection Completed-Env. Health : A
01/18/2013	Inspection Completed – Fire safety: A
01/15/2013	Inspection Completed On-site
01/15/2013	Inspection Completed-BCAL Full Compliance

III. DESCRIPTION OF FINDINGS & CONCLUSIONS

A. Description of Facility

Approved space: The main level of this facility, located in a Historic Red School House building, has three rooms that are approved for use by children in care. The rooms include the following:

- **Infant/Toddler:** This room, located on the west side of the building, measures 27' x 30' for a total of 810 square feet. The room has two diaper changing area's with a hand washing sink located between them. It also has one toddler size toilet located behind the diapering table for toilet training purposes. The room has been divided by a permanent large shelving unit, approximately 20 feet long running east to west, separating the room into two separate child use areas. The two areas consist of the following:
 - **Infant/Young Toddler Area** – The shelving unit was placed at the 15 foot mark of the 27 foot wall making the infant area 15' x 30' for a total of 450 square feet. This is enough space for the requested capacity of 8 children ages' birth to 2 ½ years. The hand washing sink is located in the middle of the 27 foot wall making it accessible to both child use areas. One of the diaper changing tables is located in the infant side of the room.
 - **Older Toddler Area** – This area measures 12' x 30' for a total of 360 square feet. This is enough space for the requested capacity of 8 children ages' 2 ½ to 3 years. The toddler size toilet is located behind the diapering area on this side of the room facilitating toilet training for the children.
- **Three Year Old Room:** This room measures 22' x 35' for a total of 770 square feet of use space. This is enough space for the requested capacity of 20 children ages 3 to 4 years. This room is located in the middle of the building on the south side and is accessed via a hall which divides the building in half north to south.

- **Four Year Old Room:** This room is located on the east side of the building and measures 28' x 30' for a total of 840 square feet. This is enough space for the requested capacity of 24 children ages' 4 to 5 years.

Equipment: There is an abundance and variety of age appropriate equipment in each of the three child use rooms for numerous centers including manipulative supplies; arts and crafts; dramatic play; infant/toddler bouncy seats; excer-saucers; swings; rocking chair, books etc. In addition, there are 6 cribs, 60 nap mats; tables and chairs – feeding tables for infant/toddlers and preschool age size.

Number of sinks and toilets: There are two bathrooms located in the hall across from the three year old room. Each has two sinks and two toilets. There is also a toddler size toilet and hand washing sink located in the infant room. There is a staff bathroom with one sink and one toilet in the staff break room. There is a total of six toilets and six hand washing sinks available throughout the building.

Outdoor play area – A temporary outdoor play area is located across the side street from the center. It is a very large, grassy lot that is not fenced. There are no elevated pieces of play equipment. Ms. Hamilton plans to purchase that piece of property and make it a fenced outdoor play area. She also plans to fence the front yard of the building (south side) for an infant/toddler outdoor play area in the spring.

Documentation of lead assessment: A lead hazard risk assessment was conducted on 01/16/2013 by Environmental Testing and Consulting, Inc. No lead risk hazard were found in the child use area.

Documentation of playground safety: No elevated pieces of play equipment are present on the playground.

B. Program Description

This program will accept children ages' birth to six years, Monday through Friday from 6:00 am until 6:00 pm. A preschool curriculum will be offered to children attending this full day child care program. Parents will need to transport children to and from child care. Families will be offered the option of purchasing a hot lunch that will be provided by the Manistee School cafeteria. The other option is for children to bring a packed lunch from home. They will also need to bring snacks from home as well.

Ms. Synamon Jameson has been approved as the program director under R 400.5103(3)(c) and 4.

No rule variances were applied for or granted.

C. Rule/Statutory Violations

The study has determined substantial compliance with applicable licensing statutes and rules.

IV. RECOMMENDATION

I recommend issuance of a provisional license with a maximum capacity of 60.

Beverly McSauby

01/22/2013

Beverly McSauby
Licensing Consultant

Date

Approved By:

Jackie Horton

Jackie Horton
Area Manager

01/22/2013



Planning Commission/Planning & Zoning
 City Hall
 70 Maple Street, P.O. Box 358,
 Manistee, MI 49660
 231.398.2806 (phone)
 231.723.1546 (fax)

Special Use Permit Application

A Detailed Site Plan is required for all Special Uses

Please Print

Submission of Application		
<p><i>Applications must be submitted 25 days prior to the meeting for review for completeness.</i> Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the payment of a fee \$750.00 and any applicant escrow payments as required by Section 2701 and in accordance with the schedule of fees adopted by the City Council to cover the costs of processing the application. An application shall be submitted to the Zoning Administrator on a Special Use application form. A Special Use application shall be placed on the agenda of the Planning Commission by the Zoning Administrator within thirty (30) days of the submission of a complete application prepared in accordance with this Zoning Ordinance. An application, which is incomplete or otherwise not in compliance with this Ordinance, shall be returned to the applicant. No application shall be processed until properly prepared and submitted and all required fees and escrow payments paid in full.</p>		
Property Information		
Address: 284 FIRST STREET	Parcel #	
Applicant Information		
Name of Owner or Lessee: MANISTEE HISTORIC RED SCHOOL HOUSE CDC		
Address: 7842 MAIN STREET, BEAR LAKE, MICHIGAN 49614		
Phone #:	Cell#: 231.907.0543	e-mail:
Name of Agent (if applicable):		
Address:		
Phone #:	Cell#:	e-mail:
Data Required/Project Information		
Land Area: 18,944	Zoning Classification: CZ	
Present/proposed Land Use: VACANT / COMMERCIAL DAY CARE FACILITY		
Attach a Detailed Narrative for the following		
<input type="checkbox"/>	A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.	
<input type="checkbox"/>	Applicant's statement of the expected effect of the special use on emergency service requirements, schools, storm water systems, sanitary sewer facilities, automobile and truck circulation patterns, and local traffic volumes.	
<input type="checkbox"/>	Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be required by this ordinance, by the City Zoning Administrator or the Planning Commission; including, but not limited to, measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties; elevations on all buildings, including accessory buildings; and, an environmental assessment.	
<input type="checkbox"/>	Supporting statements, evidence, data, information and exhibits that address the standards and requirements for assessing Special Use permit applications as provided in Section 1802.	

Additional Information

Any additional information deemed necessary for the Planning Commission to determine the impact of the proposed Special Use on the adjacent properties, public infrastructure, and community as a whole. Such information may take the form of, but is not limited to, a traffic impact analysis as required by **Section 2203, E, 2**, an environmental assessment as required by **Section 2203, E, 1**, a market study as required by **Section 2203, E, 3**, or reports and/or testimony by officials representing state, county or local departments of public safety (police and fire), health, highways or roads, and/or environment.

Special Use review procedures. An application for Special Use Approval shall be processed in accordance with **Section 1801.C**.

Issuance of a Special Use permit. Special Use Permits shall be issued in accordance with **Section 1801.D**.

Appeals. No decision or condition related to a Special Use application shall be appealed to the Zoning Board of Appeals. An appeal of a Special Use decision or condition may be taken to Circuit Court.

Duration of Approval. The Special Use permit shall become effective upon Planning Commission approval and in accordance with **Section 1801.F**.

Amendments. Amendments to Special Use permits shall be handled in the same manner as the initial Special Use permit application. Minor non-substantive changes to a site plan in accordance with **Section 2208** may be made to an existing Special Use permit with the approval of the Zoning Administrator.

Transfers. Transfers shall be handled in accordance with **Section 1801.H**.

Expiration. A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

1. If replaced or superseded by a subsequent permitted use or Special Use permit.
2. If the applicant requests the rescinding of the Special Use permit.
3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
4. If the use is abandoned, moved or vacated for a period of one year.

Violations. Violations shall be handled in accordance with **Section 1801.J**.

Authorization

CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the owner, leasee, owner's representative, contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion. The undersigned, by signing the Application, agrees to pay any and all fees and escrow payments in full as provided in **Article 27**.

Signature: *Erin Dawson*

Date: APRIL 8, 2013

Signature: *Lee Lampton*

Date: April 8, 2013

If applicant is Incorporated or a Limited Liability Corporation a copy of the Articles of Incorporation are to be submitted with application.

By checking this box permission is given for Planning Commission Members to make a site inspection if desired.

Yes No Please indicate if the applicant will be tax exempt, applying and/or eligible for tax abatements, credits or deferrals for this proposed project. If Yes, explain:

Office Use Only

Fee: \$750.00 \$

Escrow Payment

Receipt # 27764

Date Received:

Hearing Date:

PC -

April 5, 2013

Jon R. Rose
Community Development Director
City of Manistee

RE: Application for Special Use Permit

FOR: Manistee Historic Red School House Child Development Center

LEGAL DESCRIPTION OF PROPERTY: LAND IN THE CITY OF MANISTEE, COUNTY OF MANISTEE, STATE OF MICHIGAN, DESCRIBED AS: LOTS ONE (1), TWO (2), SEVEN (7), AND EIGHT (8), BLOCK FIFTEEN (15) FILER & SMITH'S ADDITION TO THE CITY OF MANISTEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF DEEDS, PAGE 468; EXCEPT THE NORTH ONE HUNDRED (100) FEET OF LOTS ONE (1) AND TWO (2), MORE PRECISELY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH 1 DEGREE 30' 00" WEST ON THE WEST LINE OF HANCOCK STREET 100.00 FEET TO THE POINT OF BEGINNING, THENCE NORTH 88 DEGREE 00' 32" WEST PARALLEL TO CLAY STREET 128.26 FEET, THENCE SOUTH 1 DEGREE 30' 00" WEST 147.18, THENCE SOUTH 88 DEGREE 48' 10" EAST 128.26 FEET, THENCE NORTH 1 DEGREE 30' 00" EAST 145.38 FEET TO THE POINT OF BEGINNING.

Dear Jon,

Please accept this letter and application for a Special Use Permit for our building located at 284 First Street in Manistee, Michigan. We have been working hard on getting this empty and neglected, historic old building back in usable shape, as it is our intention to open a child development center, an after school camp and a summer day camp. Also, please be aware that there is a single bedroom rental apartment in the basement which we have totally remodeled.

All the work we have done on this building has been according to all applicable codes, current construction standards and always with the historical integrity of the building and surrounding area in mind.

We have passed all required state and local inspections including local building permits and inspections, lead free inspection, state electrical inspection, state plumbing inspection, and a state boiler and mechanical inspection. We also passed a state fire code inspection and received an "A" fire safety rating for our building. We also have worked closely with the state day care licensing agency and after meeting all of their requirements, we have been fully licensed by the State of Michigan as a child development center.

Thank you for your time, and we look forward to working with you and getting this beautiful, historic building back in use. If you have any questions, please let us know.

Sincerely,



Brian and Sue Hamilton
284 First Street
Manistee, Michigan 49660

This location is appropriate for many reasons, but to begin with... over a period of time we did look at many other properties around Manistee. There were good and bad issues with all of them and although some would have worked, no one single property was just right. Then we found the old school house, and we knew right away that this building would be perfect.

It was originally built as a school house in 1870, which in itself was perfect. We love historic buildings, it had adequate room for our needs, and was bright and open. It was in a good neighborhood, it had easy public access, it was located in a perfect part of Manistee, and it simply fit all of our business needs. Although it sat abandoned and neglected for the previous five years and needed a lot of work and updating, it was structurally sound. Our research showed that the community needs for this type of business were high, we wanted to start a business and realize our dream and now we had a building. Not only did we find a beautiful building that would fit the requirements for our business goals, we could help bring a historic building back to the citizens of Manistee and the children.

This building is not in the recognized historic down town district of Manistee, but it is located in and is part of a smaller historic district of its own, and compliments the character and reflection of the neighborhood and of the entire city of Manistee. The existing neighborhood buildings and properties are of a mix use type with a variety of historic buildings, residential, miscellaneous light commercial activity, and established businesses. Our business will in no way be injurious to any existing use or operation.

The building itself is located one block off US 31 on the corner of Hancock Street and First Street, so traffic flow will be convenient for parents and minimal for the neighborhood. Available and adequate parking is located on the North side of the building, as is the main entrance to the building which allows easy access for our parents to pick up and drop off children. Off street parking will not be an issue for the neighborhood or existing traffic.

There are adequate utilities and services available in this part of Manistee, and there will be no additional impact on any municipal services such as water, sanitary sewer facilities, storm sewer systems, or street requirements. There also will be no additional impact on any emergency service requirements, and we are fortunate to be located right across First Street from the Manistee Fire Department. There will be automobile traffic as parents come and go to drop off and pick up their children, but truck traffic will not be an issue except for the occasional UPS delivery vehicle.

At some point after it ceased being a school, it became a women's clothing store and the operations of this business, "The Schoolhouse Store" had a significantly greater impact on the surrounding area than our business will. Granting the Special Use Permit will not in any way be detrimental to public health, safety and welfare, nor will not be injurious to any use or enjoyment of the neighborhood. It will not in any way create excessive noise issues, diminish any values of the neighborhood or impede normal development of the surrounding area. By bringing an abandoned building back into community use and fulfilling a need for the parents of this community, we feel we will add to the neighborhood in many positive ways.

Addressing possible issues with SECTION 1825

We have passed all required state and local inspections including local building permits and associated inspections, lead free inspection, state electrical inspection, state plumbing inspection, and a state boiler and mechanical inspection. We also passed a state fire code inspection and received an "A" fire safety rating for our building. We work closely and have a great relationship with the state licensing agency and have been fully licensed by the State of Michigan as a child development center.

Fencing requirements for our Child Development Center playground have been established by the State of Michigan licensing guide lines, and they have approved our plan. We intend to locate the playground on the South side of the building in the lawn area, surrounded by a four foot (4') high chain link fence. Please refer to the site plan for details.

There will be no dumpsters located on the site. Garbage will be placed in appropriate containers such as "tidy totes" and taken to the curb for regular, weekly garbage pickup.

To the best of our knowledge, there are no licensed or pre-existing operating groups or commercial day care centers, adult foster care facilities, substance abuse treatment and rehabilitation facilities, or community correction centers, halfway houses or similar facilities within 1,500 feet from our proposed facility.

All the work we have done on this building has been done according to all applicable codes and current construction standards, with the historical integrity of the building and surrounding area in mind. We have invested a large sum of money, time and personal elbow grease in bringing a historic but abandoned and neglected building into a viable and usable facility. This includes but was not limited to code issues, remodeling needs, licensing needs, water invasion issues, required facilities and simply a lot of cleaning up. We have also addressed all handicap requirements and accommodations along with life/safety code issues such as a fire sprinkler system, fire partitions and smoke separation. As we continue to work on, maintain and improve the building, it will all be done with the historical integrity of the building and consistent with the character of the surrounding neighborhood in mind. It will be our top concern as we love the building and its associated history, and we do want to be good neighbors. That is very important to us. As work has progressed on the building, we have met and talked with many of the neighbors, and have had nothing but positive feedback and encouragement. We believe we will be a welcome and positive addition to the entire neighborhood and city.

We are currently going to offer care from the hours of six (6) am to six (6) pm. We will not have regular evening hours, but if requested by the professional community such as doctors, nurses, police officers and firefighters, and prior arrangements are made, we will offer limited evening/night hours. We would offer these time frames, on a limited, appointment only basis. We will be approved and licensed for any care we provide.

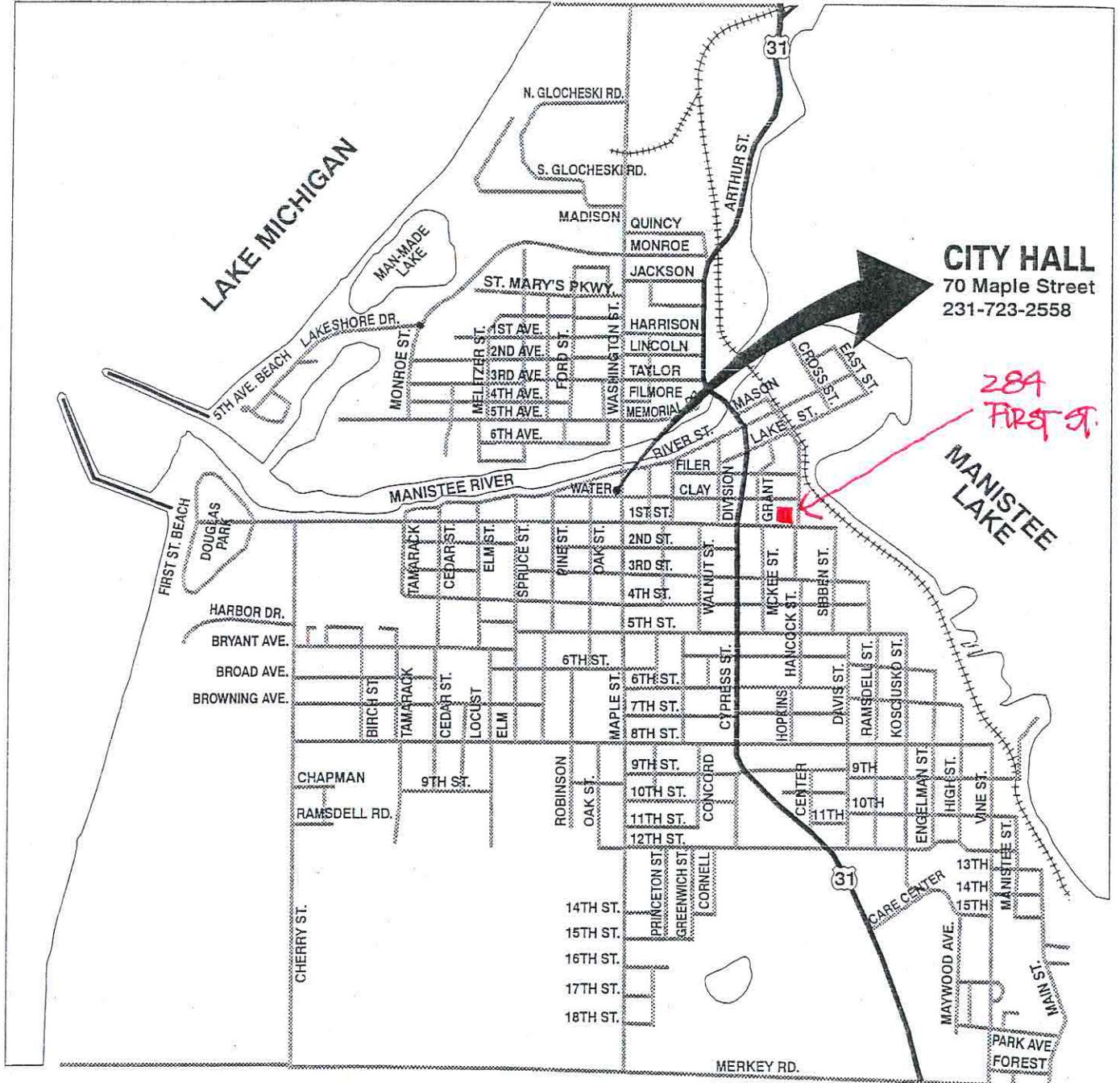
There is an asphalt covered parking lot with adequate parking space located on the North side of the building, with a wooden fence separating the parking lot from the residential neighborhood to the North. We will outline the parking areas and paint the appropriate parking lines. There will be one parking space near the handicap ramp reserved exclusively for handicap requirements, and one parking space at the West end of the lot, reserved for the use of the rental unit. Off street parking will not be an issue for the neighborhood or existing street traffic. Please see the site plan for parking details.

The building itself is located one block off of US 31, on the corner of Hancock Street and First Street, which are all key streets in the city of Manistee. Access to and from the building will be convenient for the parents, and traffic will be minimal for the neighborhood.

There will be no new signage required, but we will repair or replace some old, outdated signage. All replaced signage will be professionally done and will be in compliance with zoning requirements.

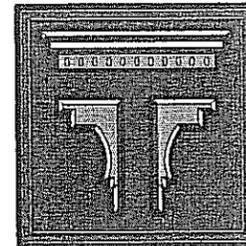
There is some existing landscaping around the building, some of which will be taken out as it is overgrown and not appropriate. Any new landscaping will be done keeping the historic integrity of the building in mind and enhancing the neighborhood and surrounding areas. Any new landscaping will not create any visual or physical barriers and will be in accordance with existing zoning requirements.

CITY OF MANISTEE

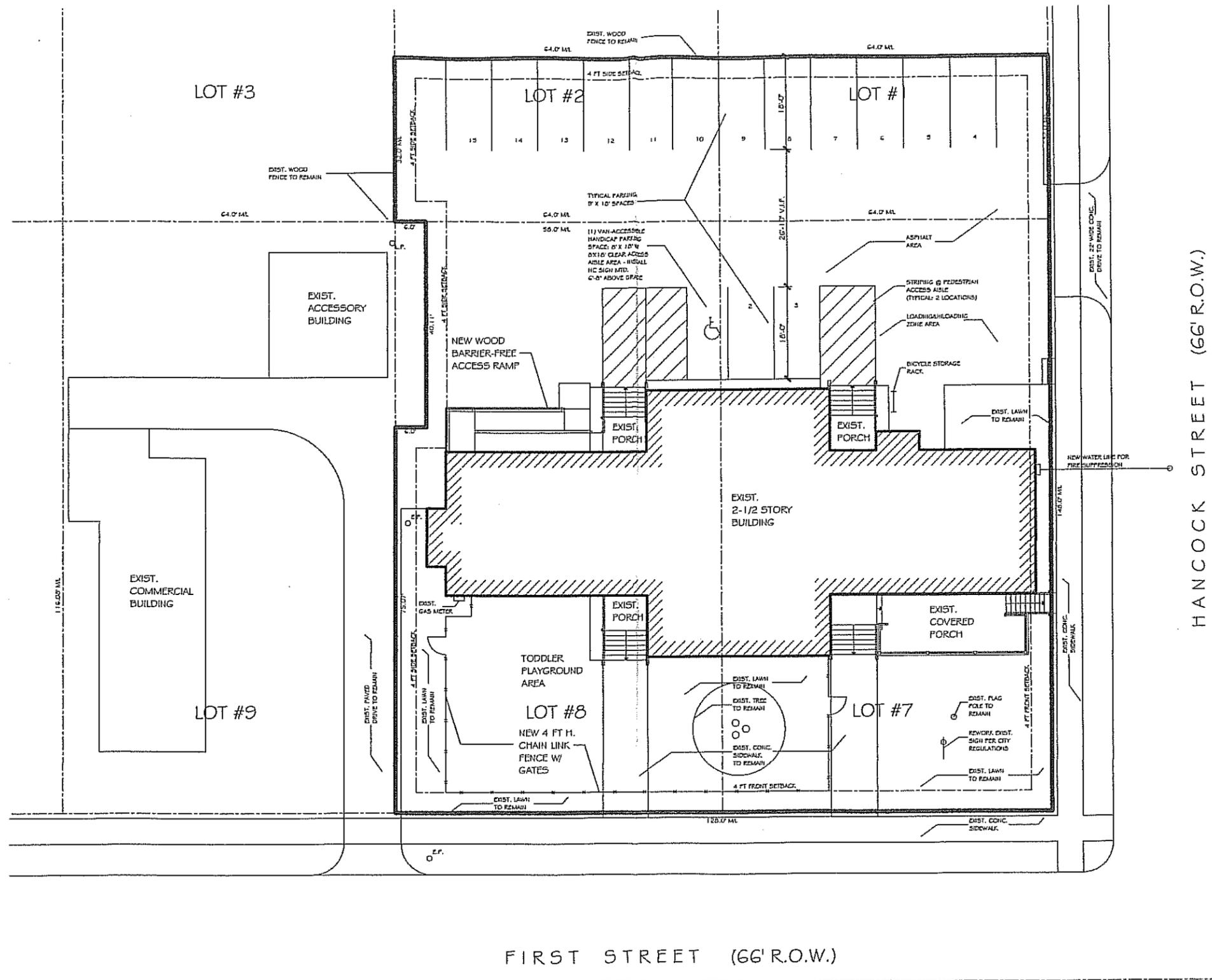


CITY HALL
70 Maple Street
231-723-2558

284
First St.



kendra c.
THOMPSON
 architects, p.c.
 803 Cherry Street
 Manistee, MI 49660
 tel: 231.723.4195
 thompson.kendra@sbcglobal.net
 www.kendraithompsonarchitects.com



SITE PLAN

SCALE: 1" = 10'-0"

BUILDING DATA:

ZONING DISTRICT: C2, NEIGHBORHOOD COMMERCIAL
 PROPOSED USE: DAYCARE, COMMERCIAL
 USE GROUP CLASSIFICATION: 14 DAYCARE AND R-3 RESIDENTIAL (ONE UNIT)
 CONSTRUCTION TYPE: 5B, COMBUSTIBLE
 FIRE SUPPRESSION: WHOLE BUILDING
 BUILDING HEIGHT: 2-1/2 STORY
 38'-6" FT EXISTING (APPROXIMATE)
 BUILDING AREA, EXISTING:
 MAIN 4,090 SF GROSS +/-
 UPPER 3,950 SF GROSS +/-
 LOWER 4,090 SF GROSS +/-
 PARKING, PROVIDED:
 (1) VAN-ACCESSIBLE HC SPACE 8X18' W/ 8X18' CLEAR ACCESS AISLE
 (14) STANDARD SPACES 9X18'

5	SPECIAL USE PERMIT - REV #1	4/11/2013
4	SPECIAL USE PERMIT	4/8/2013
3	BUILDING PERMIT	10/18/2012
2	DESIGN DEVELOPMENT	10/01/2012
1	PRELIMINARY SCHEMATIC DESIGN	02/27/2012
NO.	REVISIONS / SUBMISSIONS	DATE

PROJECT NAME
**RENOVATIONS FOR:
 THE OLD
 SCHOOLHOUSE
 CHILD CARE
 CENTER**
 284 FIRST STREET
 MANISTEE, MICHIGAN

DRAWING TITLE
**CONCEPTUAL
 SITE PLAN**

6EAL	DRAWN KCT	KCT PROJECT NO. KT-212010
	REVIEWED ECT	DRAWING NO.
	DATE 06/01/2012	C-1 SHEET NO.
	SCALE AS NOTED	1 OF 1

Addressing Site Plan Review Issue

The percentage of land covered by the building and impervious surfaces versus that reserved for open space is approximately 72% versus 28%.

Drainage, sanitary sewers, storm sewers and other facilities, are all existing, with no proposed changes. Surface drainage in the parking lot is away from the building and to the East, towards Hancock Street. There are existing storm sewers located on all four corners of the First Street and Hancock Street intersection.

The water main and sanitary sewer line, are all existing, with no proposed changes. The city water main was tapped into, in order to supply water to our fire suppression system, and it was done professionally by Field's, with the cities knowledge. See site plan.

Curb cuts, are existing, with no proposed changes. Parking places and driving lanes are located on the site plan. The traffic pattern will be vehicles entering and exiting the East side of the existing parking lot. Parents will drop off and/or pick up their children by the North East building entrance then exit the parking lot onto Hancock Street. Employees will enter the parking lot using the existing entrance, use the marked parking spaces, then exit the parking lot onto Hancock Street.

There are no proposed changes to the topography of the site.

Soil erosion and sediment control measures will not be an issue, as there will be no disturbance of the soil on the site.

There will be no parking lights changed or new ones proposed.