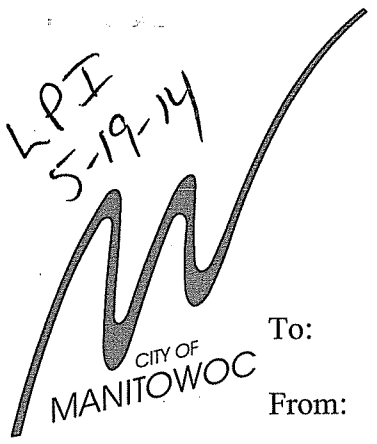


LPI
5-19-14

14-1110

May 19, 2014

CONSENT



CITY OF
MANITOWOC

David Less
City Planner

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: PC15-2014/PC17-92: Schweppe; Request for a Conditional Use Permit (CUP) for Operation of a Group Child Care Center at 1501 N. Rapids Road Pursuant to Section 15.110(3)(c) of the Manitowoc Municipal Code

Dear Mayor and Common Council:

At the regular May 14, 2014 meeting of the Manitowoc City Plan Commission, the Commission held a public informational hearing regarding a request from Stacy and Craig Schweppe as the owner of property at 1501 N. Rapids Road. They have filed a request for a Conditional Use Permit (CUP) for operation of a group child care center for a maximum of 50 children at 1501 N. Rapids Road, pursuant to Section 15.110(3)(c) of the Manitowoc Municipal Code. This subject property is currently titled in the name of Falling Star Child Care, LLC by Quit Claim Deed from Stacy and Craig Schweppe dated April 2, 2014. The Schwepes' acquired the property on March 20, 2014.



OFFICE OF CITY PLANNING
CITY PLAN COMMISSION

Prior to the current ownership, the City had issued a CUP in 1992 to Marcia Barbier d/b/a Tender Beginnings Day Care, Inc. to operate a 39 person day care facility. This party no longer has a property interest and as such, the 1992 CUP has expired and is no longer in effect. Subsequent to Tender Beginnings, a business named "Precious in His Site Christian Childcare Academy Inc." day care operated at the subject property, but not under any CUP issued by the City.

The subject property is located on the east side of N. Rapids Road, and is identified as Tract 2 of a CSM recorded in V. 15, P. 15. It is a tract measuring 21,447sf in area. The property is currently zoned "R-2", Single-Family District, which permits day care centers for not more than eight (8), but for nine (9) or more, requires a CUP. The subject property contains a 1-story frame structure of approximately 2,125sf in area, which contains a first floor and basement.

According to information provided by the petitioner children would arrive at the facility between 5-7am, and would leave between 4pm and 6pm. Child care would be available for children from birth through 11 years.



The Commission notes that group child care is regulated and licensed in Wisconsin through the Department of Children and Families. Chapter DCF 251 comes out of Wis. Stat. § 48.67 and 48.65, and is the administrative code governing and detailing licensing requirements for group child care facilities for nine (9) or more children for less than 24 hours/day.

In closing, the Commission notes that notices of the informational hearing were mailed from Planning to property owners within 200' of the subject property on May 7th, and there was no opposition present at the meeting.

As such, the Commission unanimously recommended that the Council approve the CUP, subject to the attached terms and conditions.

Respectfully Submitted,



David Less
City Planner

Attachments

Re: Granicus #14-946

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP) APPROVAL OF
FALLING STAR CHILD CARE LLC ("FSCC")
1501 N. RAPIDS ROAD
5/19/2014

Re: PC15-2014/PC17-92

Recommendation:

Grant CUP under Section 15.110(3)(c) of the Manitowoc Municipal Code ("Code") to Stacy and Craig Schweppe d/b/a Falling Star Child Care LLC ("FSCC"). This CUP ("2014 CUP") shall hereinafter serve as authorization for the location and operation of a group child care center for up to 50 children at 1501 N. Rapids Road at property identified as Tract 2 of a CSM Recorded in Vol. 15 of a CSM recorded at Page 15, as Document No. 744808 (tax parcel # 814-101-012) a/k/a the "Area of Conditional Use Permit" or the "CUP Area" (see attached Exhibit "A"). The operation of the group child care center shall include associated support facilities and services that are customarily associated with the operation of a group child care center, as well as easement rights granted to the CUP Area (Tract 2) in an Easement recorded in Vol. 1103, Page 630, as Document No. 745278, as may be amended from time to time.

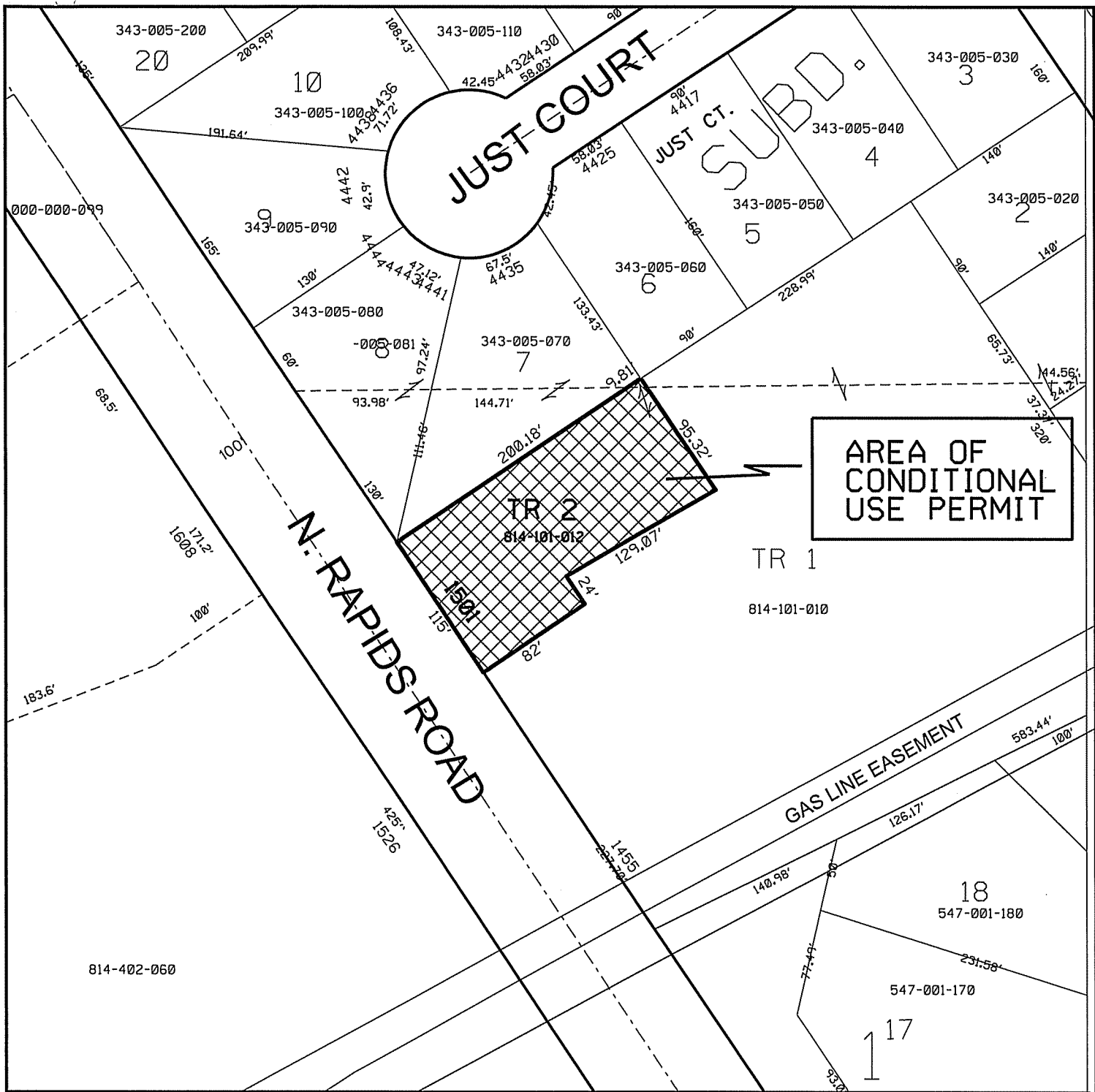
FSCC is required to comply with the following conditions:

- A. The 2014 CUP shall not become effective and binding until the date the Common Council approves the 2014 CUP as outlined herein. All previously issued CUP's for the CUP Area are null and void.
- B. FSCC shall cause the delivery to the City department which includes City Planning on or before December 31, 2014 of evidence that FSCC has been licensed by the State for operation of a group child care center in the CUP Area. Failure to comply with this requirement by December 31, 2014 shall terminate this CUP effective January 1, 2015, and FSCC shall be required to re-apply for a new CUP after January 1, 2015.
- C. Permitted hours of operation of the group child care center shall be limited to 5:00 A.M. - 7:00 P.M.
- D. Compliance with all federal, state and local regulations, licensing and Code requirements.
- E. FSCC shall not assign, transfer, sublet or convey its interest in the 2014 CUP without the prior written consent of the Manitowoc Common Council.
- F. The 2014 CUP shall automatically terminate effective the same date: (i) FSCC ceases to operate a group child care center in the CUP Area; or (ii) any license or certification granted to FSCC by the State, or any State-approved license which is assigned or transferred to a City-approved assignee or licensee for the group child care center is closed, denied, revoked, or terminated either by FSCC or the State.
- G. FSCC agrees to provide the City department which includes City Planning with written notice of its intent to discontinue operation in the CUP Area not less than 30 consecutive calendar days prior to the date operations are planned to cease.

- H. At any date and time, non-compliance with the terms of the 2014 CUP may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the 2014 CUP.

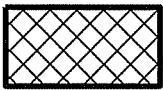
Rundate: 5/8/2014

Filename: Y:\dave\wpfiles\Schwepe-CUP-GroupChildCare-582014.wpd



CONDITIONAL USE PERMIT

CITY OF MANITOWOC, WI



**AREA OF CONDITIONAL USE
 PERMIT FOR A GROUP
 CHILD CARE CENTER -
 1501 N. RAPIDS ROAD**

