

Report to the Manitowoc Plan Commission

Meeting Date: Wednesday, January 27, 2021

Request: PC 4-2020: Michael Plate. d.b.a. Plate Enterprises: Annual Review of a Conditional Use Permit – for the operation of a Recycling Facility Located 1107 Franklin Street.

Reason for Request: The approved 2020 Conditional Use Permit required the Plan Commission to review the permit annually.

Existing Land Use for Subject Property: After the Conditional Use Permit was granted, the land is used as a recycling facility.

Existing Zoning for Subject Property: C-1, Commercial District

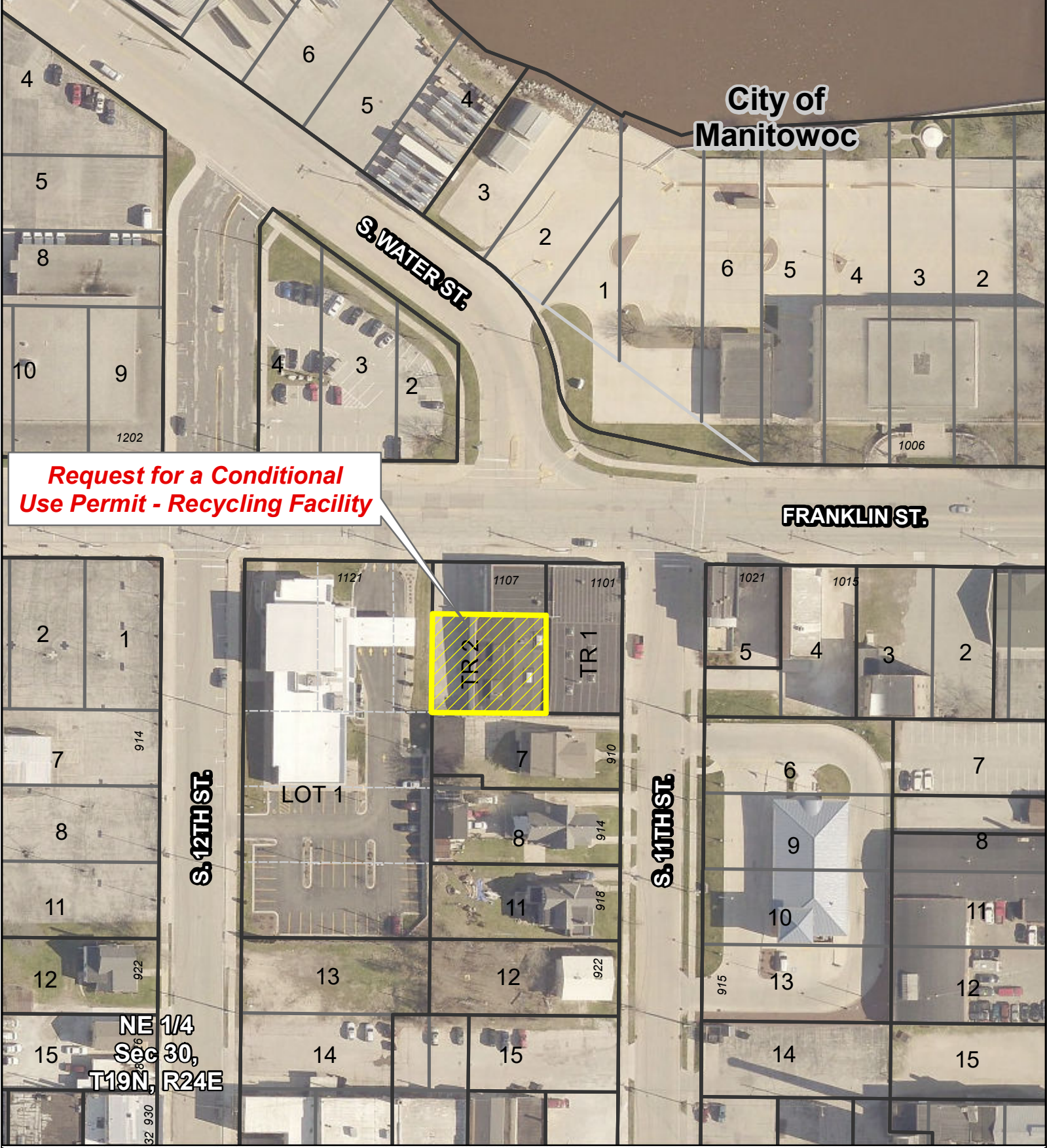
Report: The Building Inspection, Fire and Police Departments were contacted to see if there were any complaints on file and there have been no complaints from neighbors or abutting property owners concerning the Conditional Use Permit granted in 2020.

Building Inspection and Community Development staff regularly drive past the location and have not noticed any concerns with the site. The fence has been completed and the site has been regularly swept and kept relatively clean.

As a reminder to the Commission, Section 15.370(27)f states *“Revocation. Where the conditions of a conditional use permit, or permits under MMC 15.670, are not complied with, the permit may be revoked by the Common Council at any time. The Plan Commission shall first hold a public informational hearing on the proposed revocation, subject to notice procedures under subsection (27)(b) of this section. The Commission, after holding a public informational hearing, shall provide its written recommendation to the Council with its determination regarding whether or not the permit holder has, or has not, complied with the provisions of this chapter. The Council may, at its sole discretion, hold a public hearing regarding the proposed revocation. Where the conditions of the permit are not complied with, the permit may be revoked by the Common Council.”*

Recommendation: The staff recommends approval of the annual review for the Conditional Use Permit and also recommends removal of the annual review condition.

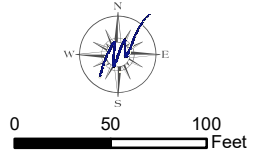
City of Manitowoc




Request for a Conditional Use Permit - Recycling Facility

CONDITIONAL USE PERMIT

City of Manitowoc, WI



 Area of Conditional Use Permit for Recycling Facility

PC 4-2020 Plate
1107 Franklin Street

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 1/14/2020
O:\Planning\PC Plan Commission\PC_CUP\PC 4-2020 M Plate Recycling CUP\Maps\PC 4-2020.mxd

**REQUIREMENTS FOR A
CONDITIONAL USE PERMIT (CUP) APPROVAL FOR MICHAEL PLATE d.b.a. PLATE
ENTERPRISES, LOCATED AT 1107 FRANKLIN STREET
01/22/2020**

Re: PC4-2020: The CUP is granted exclusively to Michael Plate d.b.a Plate Enterprises (“Owner”) pursuant to Section 15.370(27) and 15.310(3)d of the Manitowoc Municipal Code (“Code”) for property located at 1107 Franklin Street (Property”), and shall hereinafter serve as authorization for the location and operation at the Property of a “Recycling Facility” in a C-1 Commercial Zoning District. The area of the CUP is identified on the attached map and shall hereinafter be referred to as the “CUP Area”. The CUP Area is located in Tax Parcel # 052-000-242-011.00”.

The Owners are required to comply with the following conditions:

1. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in February, 2021.
2. This CUP shall not be assigned, transferred, sublet or conveyed in any manner without the written consent of the Common Council and Plan Commission. The CUP shall automatically terminate effective the date any license granted to the Owner, is closed, denied, revoked, or terminated. If the CUP is terminated the Owner shall have to re-apply for a new CUP.
3. Non-compliance with any terms or conditions of the CUP may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the CUP.
4. Prior to issuance of the CUP the Owner shall provide the Community Development Department with copies of all licenses, permits or approvals which may be required from any city, county, state, federal or other entity for the Recycling Facility. It is the applicant’s responsibility to acquire any and all licenses, permits or approvals for their operation.
5. The Owner shall follow all conditions as stated in Manitowoc Municipal Code 15.030 “Recycling Facilities”.
6. The business shall not be in operation between 7:00 p.m. and 7:00 a.m. The business shall also not be in operation on Sundays or any federal holiday.
7. No inoperable, unlicensed, junked or disassembled vehicle is allowed on the Property. No scrapping or salvaging of vehicles is allowed on the Property. No scrapping of electronics, televisions, computers, phones or similar items not defined under Municipal Code 13.010(5) is allowed in the CUP Area.
8. If allowed under Municipal Code 13.010(5); items recycled containing hazardous components; must be transported, stored, and recycled or disposed of according to federal and state regulations.

9. Prior to June 1, 2020 the Owner shall erect a site obscuring fence. The style of fence shall be approved by the Community Development Department prior to installation. The location of the fence is shown in the Plan Commission report. The Owner is required to receive a fence permit from the City prior to installation.

10. No exterior storage of materials shall be permitted on the property. Recyclable Materials may be temporarily stored in a truck, trailer or container within the fenced area out of view from the public but said materials shall be processed within 2 business days from the date the material arrived onto the Property. The site shall be cleaned daily of debris and litter. All chemicals, fluids, liquids or like items shall be properly contained and not allowed to enter into the ground or any storm or sanitary sewer.