

LP 1
10-20-14

CITY OF MANITOWOC

WISCONSIN, USA
www.manitowoc.org

14-2140



October 9, 2014

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: PC25-2014: Guillermo Ramirez Balbuena and Martina Marinee Enriquez Guzman d.b.a. Ramirez Auto Repair & Towing; Request for a Conditional Use Permit (CUP) Under Section 15.310(3)c. to operate a Wrecker Service Business at 1545 S. 41st Street.

Dear Mayor and Common Council:

At the October 8, 2014 meeting of the Manitowoc City Plan Commission, the Commission held a public informational hearing regarding a Conditional Use Permit (CUP) request from Ramirez Auto Repair and Towing to operate a wrecker service in a "C-1" Commercial Zoning District. Motor vehicle repair is a permitted use in a "C-1" district; but wrecker services are permitted after the issuance of a CUP pursuant to Section 15.310(3)c. The CUP process is governed by Section 15.370(27) of the Municipal Code.

In addition to determinations from the Commission and Council under (27)(c), these bodies can affix conditions to the CUP to provide assurances that the proposed use is an appropriate land use and is compatible with the neighborhood.

The subject parcel is zoned "C-1" Commercial, with the surrounding zoning being "C-1" Commercial to the northeast and southeast, "I-1" Light Industrial to the northwest and "B-3" General Business to the southwest.

The Commission notes that there has been a complaint on file regarding the general condition of the site in regards to junked vehicles and general garbage and debris. In addition, the site is void of any landscaping such as trees and shrubs, and grass areas have had vehicles parked on or driven over.

The property was purchased on February 5, 2014 by Ramirez from United One Credit Union and the owners have just recently moved to the location. The owners have been spending most of their time and money renovating the interior and have not been able to focus on the exterior appearance of the property. The owners acknowledged that they need to address the exterior conditions and are planning on constructing a fence or other element to obscure the vehicles from public view.



The Commission notes that one of the main purposes in the conditions is to address the general appearance of the property and to incorporate site obscuring elements through fencing and landscaping. A compliance review of the CUP will occur at the October 2015 Plan Commission meeting.

In closing, the Commission notes that it did provide notices to property owners within 200' of the subject parcel prior to the informational hearing, and reports a phone call from a representative from Holy Family Memorial who stated that they are not opposed to the use but would like to have the property maintained in a clean and orderly fashion so that it does not leave a bad impression of the neighborhood.

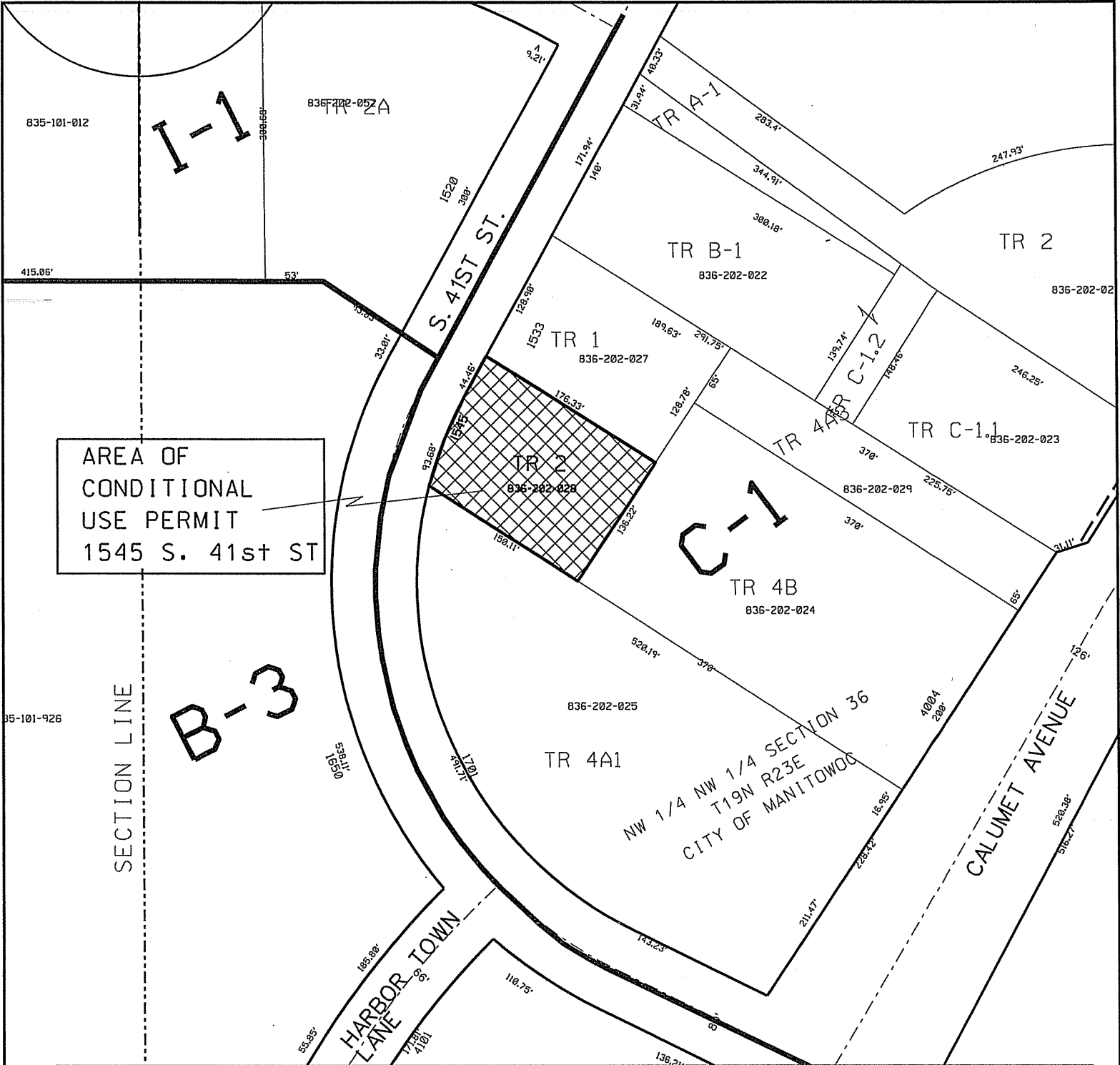
As such, the Commission unanimously recommended that the Council grant a CUP under Section 15.310(3)(c) of the Manitowoc Municipal Code ("Code") to Guillermo Ramirez Balbuena and Martina Marinee Enriquez Guzman d.b.a. Ramirez Auto Repair & Towing subject further to the compliance conditions attached.

Respectfully Submitted,

A handwritten signature in black ink that reads "Paul Braun". The signature is written in a cursive, slightly slanted style.

Paul Braun
City Planner

Council #14-2027
Attachment



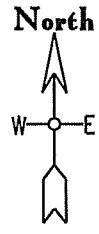
AREA OF
CONDITIONAL
USE PERMIT
1545 S. 41st ST

CONDITIONAL USE PERMIT

CITY OF MANITOWOC, WI



AREA OF C.U.P. FOR THE OPERATION
OF A WRECKER SERVICE
IN A C-1 COMMERCIAL DISTRICT



**REQUIREMENTS FOR RAMIREZ AUTO REPAIR AND TOWING
CONDITIONAL USE PERMIT (CUP)**

OCTOBER 8, 2014

Re: PC25-2014: Grant a CUP under Section 15.310(3)c. to Guillermo Ramirez Balbuena and Martina Marinee Enriquez Guzman d/b/a Ramirez Auto and Towing for the operation of a wrecker service as defined in Section 15.050 of the Manitowoc Municipal Code as part of a vehicle repair business at 1545 S. 41st Street (the "CUP Area") as depicted on the attached map, in the City of Manitowoc. The owner shall be required to comply with the following conditions:

- A. The CUP shall not become effective and binding until the date that the Common Council approves the CUP as outlined herein.
- B. Wrecker and towing services may be performed on a 24 hour basis, 7 days a week. At no time shall there be more than ten (10) wrecked or inoperable vehicles outside of the building located at the CUP Area.
- C. All vehicles shall be parked on a hard surface of either concrete or blacktop. No vehicles shall be parked on any grass or landscape areas. No vehicles, materials, product or other obstruction shall be placed in the vision triangle area adjacent to any egress or ingress drives.
- D. All towed or inoperable vehicles shall be parked either behind the building or north of the building; vehicles north of the building shall be parked no further west than the front/west façade of the building. All tires, drums, dumpsters, and other similar items not being sold at the business shall be kept in an orderly state behind the building, out of visible site from the public right of way behind a site obscuring fence, shrub row or hedge.
- E. The owner shall have until September 30, 2015 to bring the site into conformance with Section 15.690 which is the Landscaping and Off-Street Parking Requirements in the Manitowoc Municipal Code to address landscaping on the site. The owner shall work with the Planning Department to meet the requirements of Section 15.690.
- F. Compliance with all state and local regulations and licensing requirements.
- G. The owners shall not assign or transfer their interest in the CUP to any party without the written approval of the Manitowoc Common Council.

- H. Non-compliance with the terms of the CUP may result in modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the CUP

- I. Compliance with the CUP shall be reviewed by the Plan Commission and Common Council in October, 2015. At the compliance meeting of the Common Council, the action of the Council may include, but not be limited to a statement of compliance with all terms and conditions of the CUP; modification or amendment of the terms and conditions of the CUP to correct non-compliance or changes in the operation of the establishment; or immediate revocation and termination of the CUP.

LP 1
10-6-14

Plan

\$250 fee paid

September 9, 2014

Ramirez Auto Repair & Towing LLC

1545 S. 41st Street

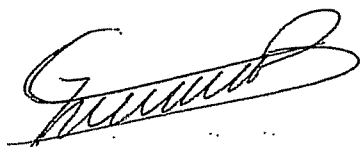
Manitowoc, WI 54220

14-1953

To whom it may concern,

We are a small family owned business that started back in July of 2006. We were occupying a building on 1014 S. 10th Street but recently relocated to a better and improved building on 1545 S. 41st Street. I am a mechanic by trade, love what I do and couldn't see myself doing anything else. My wife, along with my three children, help with the operations of the business as well. We are requesting a Conditional Permit for a Wrecker Service, to be located in a C-1 Zone, Commercial District. On a weekly basis we pick up, on average, about 5-10 vehicles, more if police officers call us to go pick some up. So we feel that our services make a difference in this community and help with the movement of traffic, when we have to move them out of an accident scene or they break down in the highway or in the middle of any street, since we're the first ones that police contact when accidents happen, being that we're so close to highway I-43. By approving this permit, this will also help generate new jobs in the community by allowing us to hire new people to drive our wreckers. We also assist, the Visitor Center, The Manitowoc Car Ferry and many other local businesses. We thank you in advance for your time and hope to hear good news and your approval in this matter.

Sincerely,



Guillermo Ramirez

Owner, Ramirez Auto Repair & Towing LLC

RECEIVED
SEP 16 2014
CITY CLERKS OFFICE