

Report to the Manitowoc Plan Commission

Meeting Date: April 26, 2017

Report Print Date: April 21, 2017; 9:26 AM

Request: PC 25-2014: Annual Review: Ramirez Auto and Towing 1545 S. 41st Street. Annual Review of a Conditional Use Permit for the Operation of a Wrecker Service in the C-1 Commercial Zoning District.

Reason for Request: The approved 2014 Conditional Use Permit required the Plan Commission to review the permit annually. At the October 25, 2016 Plan Commission, the annual review was approved on the condition that the site be revisited in April of 2017 to allow Ramirez Auto and Towing to make some improvements to comply with the Conditions.

Existing Land Use for Subject Property: After the Conditional Use Permit was granted the land is used as an Auto Repair, Sales and Wrecker service.

Existing Zoning for Subject Property: The current zoning is a C-1 Commercial District

Report: The CUP was granted for the use of a wrecker service in a C-1 Zone. Auto repair and used car sales are both permitted uses in a C-1 district without the issuance of a CUP.

At the July Plan Commission meeting the Ramirez Annual Review for the Wrecker Service was tabled to allow staff to meet with the Building Inspection and Fire Department to alert Mr. Ramirez of multiple violations of the City Building Code and the approved CUP. Prior to the August Plan Commission meeting, a letter had been sent to Mr. Ramirez alerting him of the inquiry and building inspectors will be meeting with Mr. Ramirez in person to ensure he understands the violations.

After a 30 day grace period, the Planning and Building Inspection departments inspected the site to ensure compliance with the CUP. The temporary tent structure remained behind the shop to store new and used tires. Removal of the tent structure is a requirement of the Building Code and must be addressed immediately. Overall, scrap metal clean-up was addressed; however the addition of a large scrap metal dumpster unit is encouraged to ensure consistent scrap metal pick-up. Lastly, the parking stripes accidentally placed in the city right-of-way were painted over in compliance with the CUP.

The field visit to Ramirez for the April 2017 Plan Commission yielded positive results. Mr. Ramirez has added two additional semi-trailers for storage, replacing the temporary tent structure. Aside from wrecked cars, there was no scrap metal or junk laying around and all tires, new and used, were stored and out of sight. The site has two code violations. The dumpsters were moved to the side of the building but are still in sight from the street. Also, a

small portion of the lot is gravel and has junked cars parked on it. Staff will direct the owner to correct these violations. We will recommend a fence or other suitable screening to block the view of the dumpsters from the street.

Recommendation: The Community Development Department recommends approval of the review of the Ramirez CUP to operate a wrecker service in a C-1 Zoning District. In addition, we recommend the Plan Commission revisit the annual review in April 2018.





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ACCEPTED MATERIALS:
CLEAN, DRY, UNPAINTED METAL ONLY
NO OIL, GREASE, FLAMMABLE LIQUIDS
ABSOLUTELY NO GARBAGE!

FREE TOWING
WITH SOME REPAIRS





**RIGHT
REPAIR**
RAMIREZ AUTO REPAIR
&
TOWING

HX1708

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151

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

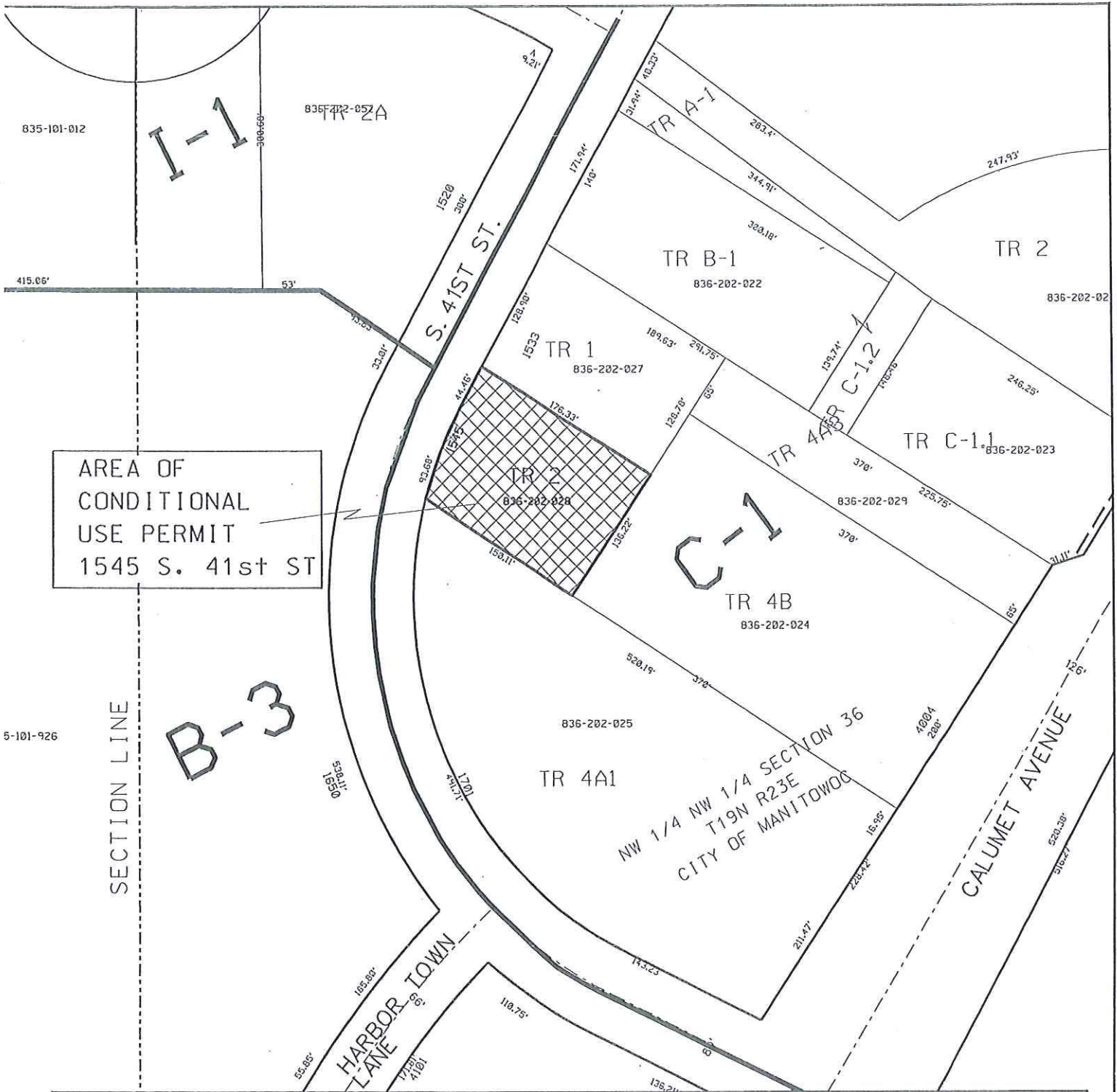
OCTOBER 8, 2014

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.



AREA OF
CONDITIONAL
USE PERMIT
1545 S. 41st ST

B-3

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

