

Report to the Manitowoc Plan Commission

Meeting Date: April 23, 2025

Request: PC 14-2025: Kolbeck / Mar Investments LLC d.b.a Manitowoc Auto Repair LLC; Request for a Conditional Use Permit for the Establishment of a Wrecker Service Use in a C-1 Commercial Zoning District located at 4102 Broadway Street (Parcel # 450-284-121)

Existing Land Use for Subject Property: Automotive Repair Business

Existing Zoning for Subject Property: C-1 Commercial

Surrounding Property Land Uses and Zoning

| Direction | Existing Land Use | Existing Zoning |
|--------------------|------------------------------|---------------------------------------|
| South, North, West | Commercial, Business, Office | C-1 Commercial |
| East | Residential | R-4 Single and Two Family Residential |

Report: Tim Kolbeck, owner of Manitowoc Auto Repair LLC is requesting the issuance of a conditional use permit for the operation of a wrecker service located at 4102 Broadway Street. In 2021, Mr. Kolbeck constructed a new 3,600 s.f. building and opened his auto repair business at the location. Auto repair businesses are permitted in the C-1 Commercial Zoning District. He would like to expand his repair services by including a wrecker service which requires the issuance of a conditional use permit. The property and building are owned by MAR Investments LLC which leases to Manitowoc Auto Repair LLC, both entities are managed by Mr. Kolbeck.

A wrecker service in the Zoning Code is defined as “a business providing towing and temporary storage of disabled vehicles, typically the result of a collision or accident. Wrecked or inoperable vehicles must be removed from temporary storage after five days and placed into an enclosed building, taken to a junk yard, or to a body shop for repair.”

The wrecker service will only tow vehicles that will be under repair at Manitowoc Auto Repair; the wrecker service will not offer accident towing or impound services. The vehicles will be repaired and off the site in a timely manner.

Conditional Use Permits are controlled by section 15.370(27) of the municipal code. In acting upon any application for a conditional use, the Plan Commission and Council shall consider whether the requested use: (1) is reasonably necessary for the convenience and welfare of the public; (2) is in harmony with the character of the surrounding area; and (3) will have a minimal or no effect on surrounding property values.

Municipal Code:

Pursuant to Section 15.370(27)(c) of the Municipal Code, “the Plan Commission and Council shall consider whether the requested use:

- A. is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. Will have a minimal effect or no effect on the surrounding property values.

The Commission and Council can affix conditions to the CUP to provide assurances that the proposed use will remain in conformity with the criteria under subsection (27)(c) as well as compliance with regulations of the particular zoning district which the conditional use would be located.”

State Statute:

“ §62.23(7)(de) Conditional use permits.

1. In this paragraph:

a. “Conditional use” means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.

b. “Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

2. a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

3. Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

4. Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

5. If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.”

Public Comments: Notices were mailed out to property owners adjoining and abutting the property and at the time of this writing no comments were received.

Timeline

- Application Received: April 9, 2025
- Notifications Sent: April 16, 2025
- Plan Commission Public Informational Hearing: April 23, 2025
- Common Council Public Hearing scheduled for: May 19, 2025

Recommendation: Approve the issuance of a Conditional Use Permit to Manitowoc Auto Repair LLC for the operation of a wrecker service located at 4102 Broadway Street.

REQUIREMENTS FOR A
CONDITIONAL USE PERMIT (CUP) FOR THE OPERATION OF
A WRECKER SERVICE FOR TIMOTHY KOLBECK,
D.B.A. MANITOWOC AUTO REPAIR LLC
LOCATED AT 4102 BROADWAY STREET
TAX PARCEL # 450-284-121
5/19/2025

- A. The CUP shall not become effective and binding until the date that the Common Council approves the CUP as outlined herein.
- B. The CUP shall require compliance with all applicable local, state and federal regulations and licensing as needed.
- C. Manitowoc Auto Repair LLC shall not assign or transfer its interest in the CUP to any party without the written approval of the Plan Commission and Common Council.
- D. Non-compliance with the terms 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.
- E. The towed vehicles on the site shall only be ones that are under repair by Manitowoc Auto Repair LLC. No accident vehicles or impound services will be allowed at the location.
- F. No unregistered or junked vehicles are allowed on the site unless they are actively or in the process of being repaired.



LAND USE APPLICATION

APPLICANT Manitowoc Auto Repair LLC PHONE 920-242-3817
MAILING ADDRESS 4102 Broadway Street EMAIL tim@manitowocautorepair.com
PROPERTY OWNER Tim Kolbeck - MAR Investments PHONE 920-242-3817
MAILING ADDRESS 4102 Broadway Street EMAIL tim@manitowocautorepair.com

REQUEST FOR:

☒ Conditional Use Permit (CUP) \$350* ☐ Zoning District Change/Map Amendment \$350*
☐ Site Plan Review \$350 ☐ Request for Annexation \$350*
☐ Certified Survey Map (CSM) \$100 ☐ Planned Unit Development (PUD) \$350*
☐ Official Map Review \$350* ☐ Street/Alley Vacation \$350*

**Publication of legal notice fees additional.*

STATUS OF APPLICANT: ☒ Owner ☐ Agent ☐ Other

PROJECT LOCATION ADDRESS 4102 Broadway Street

PARCEL ID# 052-500161210 CURRENT ZONING C-1

CURRENT USE OF PROPERTY Auto Repair

PROPOSED USE OF PROPERTY Auto Repair/Towing

REQUIRED: Attach a detailed written description of your proposal or request.

Include as much information as possible including planned use, maps, project renderings or drawings, etc.

The undersigned hereby represents and warrants that it has the authority to enter into this Contract. If the party entering into this Contract is not an individual, the person(s) signing on behalf of the entity represents and warrants that they have been duly authorized to bind the entity and sign this Contract on the entity's behalf.

Signature Timothy Kolbeck Date 4/9/25
(Property Owner)

Print Name Timothy Kolbeck

For Office Use Only

Date Received: 4-9-25

Fee Paid: \$350

Plan Commission Date: 4-23-25

PC/SP #: 14-2025

Check#: 51367

The City of Manitowoc Plan Commission meets the fourth Wednesday of each month at 6pm.

Deadline for submission is the Friday two weeks prior to the meeting.

Please contact the Community Development Department at 920-686-6930 if you have any questions.

To Whom It May Concern,

We are informing the city board and neighbors about a new service at Manitowoc Auto Repair. We will offer vehicle towing for vehicles serviced at our facility, providing convenience for our customers.

Service Details

This towing service is exclusively for vehicles under repair at Manitowoc Auto Repair. We will not offer accident towing or impound services.

Operational Information

The tow truck will be parked inside or on the west side of the building when not in use.

We believe this addition will enhance the repair process for our customers. Thank you for your attention and support.

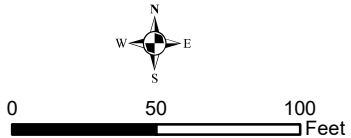
Sincerely,

Manitowoc Auto Repair




CONDITIONAL USE PERMIT

City of Manitowoc, WI



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: 4/14/2025
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Conditional Use Permit Area for the Establishment of a Wrecker Service Use

PC 14-2025
4102 Broadway St.
City of Manitowoc Plan Commission

4120

4112

4102

City of
Manitowoc

CONROE ST.

4109

4017

**Request for a Conditional Use
Permit Area for the Establishment
of a Wrecker Service Use**

N 41ST ST

10
BL 16

11

12

4118

4110

4102

4022

4014

BROADWAY ST.

4117

4109

4105

4021

4013

1

214

6

SW 1/4
Sec 24
T19N, R23E

BL 10

09

BL 4



0 50 100
Feet

CONDITIONAL USE PERMIT

City of Manitowoc, WI

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Conditional Use Permit Area for
the Establishment of a Wrecker
Service Use

PC 14-2025
4102 Broadway St.

City of Manitowoc Plan Commission