

MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Allison Schwark, Zoning Administrator

Date: February 10, 2025

Re: Conditional Use Permit Request

| Summary of Request | |
|---|----------------------------------|
| Requested Approvals: | Conditional Use Permit |
| Location: | Greenway Court Lot 2 /A444200003 |
| Current Land Use: | Vacant |
| Proposed Land Use: | Contractor Shops |
| Current Zoning: | Technology Park |
| Proposed Zoning: | N/A |
| Future Land Use, Comprehensive Plan: | Technology Park |

Staff Review

The applicant is requesting a Conditional Use Permit for the construction of 4 contractor shops/buildings for business or storage purposes located on a lot that is currently vacant within the technology park. The parcel more precisely identified as /A444200003, is approximately 7.56 acres or 331,601 S.F. Each shop would be comprised of an office space, restroom, and workspace area. Additionally, each shop would have 2 regular parking spaces and one ADA compliant space.



Per Section 19.38.040 this type of use within the technology park shall require conditional use approval.

Per Section 19.38.070 the proposed use meets all setback and yard requirements.

Per Section 19.38.110 there are several design standards within the technology park that should be met or considered:

1. Building placement. The position of buildings and parking on all lots shall be in general accordance with Exhibit A (Whitewater University Technology Park, Lot Standards & Conceptual Site Configurations), except where an alternative arrangement will be more in keeping with the limitations and opportunities of the lot, with pre-existing development on adjacent lots, with the actual lot configurations that may be created or adjusted over time, or with any combination. ***The proposed development meets this requirement.***

2. Building Design and Materials. All buildings shall be sited, designed, and constructed in such manner as to provide an aesthetically pleasing development, emphasizing building styles, designs, and materials that are modern or contemporary in nature; that reinforce a technology park theme, and that promote sustainability, energy efficiency, and environmental responsibility. Buildings shall be designed for compatibility with adjoining structures within the district,

especially as it relates to rooflines and building materials. Permitted materials shall include masonry, concrete, stone, exterior insulation and finishing system (EIFS), dry-vit, glass, and decorative architectural grade metal as a design detail, except where other quality materials are also allowed during plan review. No building shall be designed with long, uninterrupted, horizontal blank walls facing any public right-of-way or public park. The primary entrance of the building shall face or be visible from the public right-of-way that provides principal access to the lot. ***The proposed development shows four buildings all being constructed with commercial grade metal siding. The proposed development does not meet the building design criteria, as the buildings are being constructed with horizontal blank walls facing two right-of ways. It is recommended that the building design be amended to include a different siding style, façade style, or an added ornamental feature such as brick or masonry to be consistent with the requirements of the ordinance as well as adjacent properties, and match the aesthetic of the surrounding area.***

3. Accessory Buildings. Accessory buildings and ancillary structures such as fences, walls, and dumpster enclosures shall be designed to be architecturally compatible with the principal building on the lot. ***Dumpster placement and necessary enclosures are not shown on the current site plan, and should be added.***

4. Accessory Off-Street Parking and Loading. Accessory off-street parking lots, loading berths, and access driveways shall be located, designed and improved so as to provide for safe and convenient access from adjoining streets, safe and convenient circulation within the site, and an aesthetically pleasing site design. Parking lots and access driveways shall be designed and located so that such facilities do not provide a direct unlandscaped view from the street to the parking lot or access driveway. ***The proposed development meets this requirement. However, historically the City of Whitewater has determined that gravel parking and storage areas are not the best practice, or a preferred surface. The Plan Commission should determine if the gravel parking area in the rear of the buildings is acceptable. The City Planner recommends asphalt or concrete to be consistent with the intent of the technology park design standards.***

5. Landscaping and Site Development. To provide a park-like setting, all lots shall be landscaped, including the provision of canopy-type shade trees. When adjacent, connected, or within thirty feet of an environmental corridor or environmental corridor buffer, all existing mature, healthy trees shall be retained and protected, where possible, during construction as per city of Whitewater forestry guidelines. All land areas not covered by buildings, structures, storage areas, parking lots, loading areas and driveways shall be landscaped and maintained. Landscaping shall mean decorative plazas, mounds, environmental preserves, enhancements of wetlands, stormwater features designed as landscape enhancements, features incorporated into the landscape for the purpose of improving sustainability of the site, pools or the planting of grass, shrubs, trees and other plant materials or other comparable surface cover. Use of bioswales, rain gardens, prairie plantings in lieu of lawn, and native planting solutions are encouraged. Decorative berms with organic shapes are encouraged, rather than more rigid,

angular, or straight berm designs. Wherever possible, ponds, wetlands, and/or storm water detention and/or retention basins should be intentionally designed to provide an aesthetic element to the site. ***The proposed development does meet all landscaping requirements and has provided a landscape plan.***

PLANTING SCHEDULE

| <u>TYPE</u> | <u>DESCRIPTION</u> | <u>PLANTING SIZE</u> | <u>MATURE SIZE</u> | <u>QUANTITY</u> |
|-------------|-------------------------|----------------------|--------------------|-----------------|
| A | FREEMAN MAPLE | 2" CAL | 30' DIA | 9 |
| B | CHINKAPIN OAK | 2" CAL | 30' DIA | 8 |
| C | ARBOR VITAE 'PYRAMIDAL' | 3-4'H | 6' DIA | 8 |
| D | JUNIPER 'PITZER' | 18-24"H | 4' DIA | 12 |
| E | TAXUS 'TAUNTONI' | 18-24"H | 4' DIA | 12 |
| F | DWARF SPIREA 'FROEBELI' | 15-18"H | 3' DIA | 12 |

6. Lighting. Exterior lighting shall be designed to provide uniform illumination with low glare. All exterior lights shall be full cut-off, dark-sky compliant fixtures. Parking lot and driveway fixtures shall not exceed thirty feet in height. Pedestrian pathway lights shall not exceed fifteen feet in height. LED or equivalent low-energy lighting is preferred on all external lighting fixtures. Electrical reflectors, spotlights, floodlights, and other sources of illumination may be used to illuminate buildings, landscaping, signs, and parking and loading areas on any site, but only if they are equipped with lenses or other devices which concentrate the illumination upon such buildings, landscaping, street graphics, and parking and loading areas. All lighting shall be directed away from residences and public rights-of-way and other public lands. All lighting shall be in compliance with Section 19.57.150. ***The proposed development meets this requirement, however it should be noted that pole fixtures shall not exceed the 30 foot height requirement. Currently, the site plan shows there will be pole fixtures in the parking lot areas, but the height is not specified.***

7. Storage Areas. All storage, except for licensed motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened from adjoining properties and public rights-of-way by an opaque screening wall or fence with such wall or fence not less than six feet nor more than eight feet in height, and no materials stored shall exceed the height of such screening wall or fence. All outside storage areas shall be located to the rear of buildings and shall be limited to not more than five percent of the total lot area. Landscaping shall be required on the outside of the opaque screen wall or fence. No chain link or barbed wire fence shall be allowed. Fences are not permitted between the public street and the front building façade. On corner lots, fences are not permitted between the public street and any building façade. ***Currently the proposed development is not requesting any outdoor storage areas. All storage areas should be in compliance with this requirement.***

8. Signs. All signs shall meet applicable standards in Chapter 19.54, and the specific requirements set forth for the M-1 district in the table contained in Section 19.54.052.

- a. No ground sign shall exceed a maximum height of eight feet and a maximum gross area of forty-eight square feet. All ground signs shall be incorporated in the landscape plan, including the provision of plant materials at the base of such signs.

The proposed development has not yet submitted any plans for signage, however all signage shall meet these requirements.

9. Prohibited Site Uses. No use shall be so conducted as to cause the harmful discharge of any waste materials into or upon the ground, into or within any sanitary or storm sewer system, into or within any water system or water, or into the atmosphere. All uses shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. To reduce external noise associated with businesses within the Technology Park, a maximum external decibel reading of sixty-five db at the property line must be maintained. ***The proposed development shall always meet the above criteria.***

10. Uses Required to be Enclosed. All business, servicing, or processing shall be conducted within completely enclosed buildings, except for the following:

- a. Off-street parking and off-street loading;
- b. Drive-up service windows for banks and other financial institutions.

The proposed development meets this requirement.

11. Truck Parking. Parking of trucks as an accessory use, when used in the operation of a permitted business, shall be limited to vehicles of not over one and one-half tons of capacity when located within one hundred fifty feet of a residential district boundary line. ***The proposed development shall always meet the above criteria.***

12. Loading Areas. Loading areas and docks shall be secondary elements of any principal building, focused in locations and provided with screening in a manner that minimizes their visibility from public rights-of-way and adjoining properties. Loading areas and docks shall not be permitted in the street yard or along any façade facing a public street area, except that loading docks located at least one hundred fifty feet from the street right-of-way may be permitted and where such loading docks are extensively screened from the public right-of-way. All loading areas and docks shall be screened from view from any public right-of-way through the use of landscaping, berms and walls, or methods otherwise approved under plan review. ***The proposed development does not include any loading areas or docks.***

13. Mechanical Equipment. Mechanical equipment mounted on the roof shall be screened and/or positioned in a method that is architecturally compatible with the building and set back, providing screening from public view. All ground-mounted equipment shall be screened from public areas. *The proposed development shall always meet the above criteria.*

Planner's Recommendations

- 1) Staff recommend that Plan Commission **APPROVE** the Conditional Use Permit for contractor storage shops for the parcel located on Greenway Court, tax key /A444200003 with the following conditions:
 - a. The building design be amended to include a different siding style, façade style, or an added ornamental feature such as brick or masonry to be consistent with the requirements of the ordinance as well as adjacent properties and match the aesthetic of the surrounding area.
 - b. Dumpster placement and necessary enclosures should be added to the site plan, and location shall be approved by the zoning administrator.
 - c. The gravel parking areas be removed from the site plan and replaced with asphalt or concrete.
 - d. All lighting shall comply with the City of Whitewater Ordinances.
 - e. All signage on site shall be approved by the zoning department, and a separate application will be required.
 - f. All zoning and building permits for construction be properly obtained.
 - g. All storage, except for licensed motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened from adjoining properties and public rights-of-way by an opaque screening wall or fence with such wall or fence not less than six feet nor more than eight feet in height, and no materials stored shall exceed the height of such screening wall or fence. All outside storage areas shall be located to the rear of buildings and shall be limited to not more than five percent of the total lot area. Landscaping shall be required on the outside of the opaque screen wall or fence. No chain link or barbed wire fence shall be allowed. Fences are not permitted between the public street and the front building façade. On corner lots, fences are not permitted between the public street and any building façade.
 - h. No use shall be so conducted as to cause the harmful discharge of any waste materials into or upon the ground, into or within any sanitary or storm sewer system, into or within any water system or water, or into the atmosphere. All uses shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or

night illumination. To reduce external noise associated with businesses within the Technology Park, a maximum external decibel reading of sixty-five db at the property line must be maintained.

- i. Parking of trucks as an accessory use, when used in the operation of a permitted business, shall be limited to vehicles of not over one and one-half tons of capacity when located within one hundred fifty feet of a residential district boundary line.
- j. Mechanical Equipment. Mechanical equipment mounted on the roof shall be screened and/or positioned in a method that is architecturally compatible with the building and set back, providing screening from public view. All ground-mounted equipment shall be screened from public areas.
- k. Landscaping shall be completed to the specifications of the site plan within 30 days after the completion of construction. Any deviation from the site plan shall require additional PARC approval.
- l. Knox box shall be installed on site for each building, and owner and occupants shall work with City of Whitewater Fire Department to ensure compliance with fire code.
- m. Any other stipulations as indicated by the PARC.