

# MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Allison Schwark, Zoning Administrator

Date: May 11, 2026

Re: Conditional Use Permit

Summary of Request	
<b>Requested Approvals:</b>	Conditional Use Permit (CUP)
<b>Location:</b>	Greenway Court, Howard Road, and Innovation Drive (/A444200002 and /A444300002)
<b>Current Land Use:</b>	Vacant
<b>Proposed Land Use:</b>	Summerset Marine Manufacturing, Sales, Assembly, and Office
<b>Current Zoning:</b>	Technology Park
<b>Proposed Zoning:</b>	N/A
<b>Future Land Use, Comprehensive Plan:</b>	Technology Park

## Staff Review

The Technology Park district is established to provide an aesthetically attractive working environment exclusively for and conducive to the development and protection of offices; research, testing, and development institutions; and certain specialized manufacturing establishments compatible with an office and research setting, all of a non-nuisance-type and public parks. The essential purpose of this district is to achieve development which is practical, feasible and economical and an asset to the owners, neighbors, and the community and to promote and maintain desirable economic development activities in a park like setting with well-designed sites and buildings.

The applicant previously attended a Plan Commission meeting to present a conceptual plan, and is now requesting a Conditional Use Permit for an outdoor storage area that would be associated with the combination of two vacant parcels within the Technology Park, to construct a 150,000 square foot building for Summerset Marine's operations including manufacturing, assembly, offices, sales, and general operations.

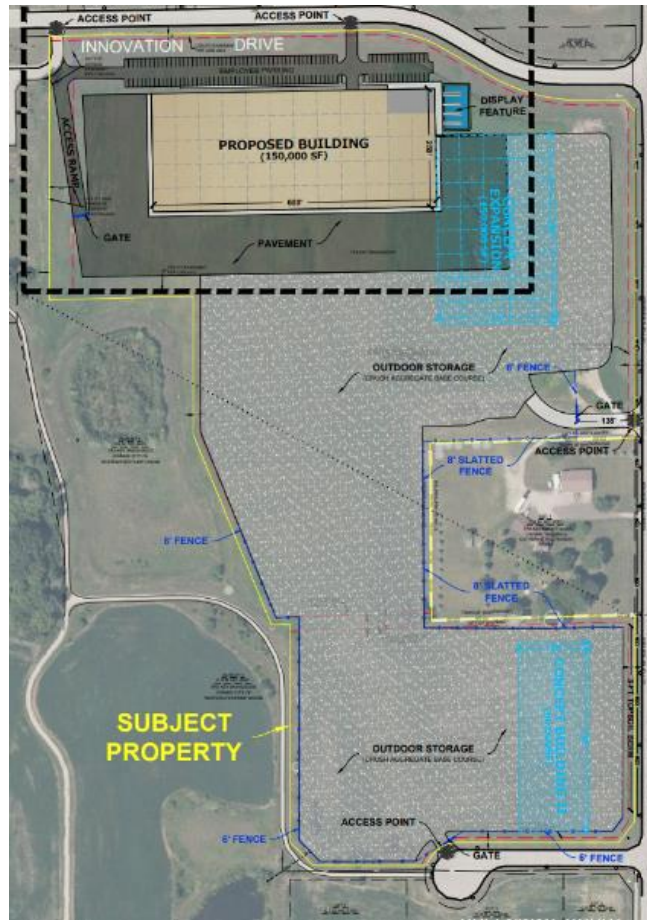
Existing Condition



The building design incorporates many drive-in bays, a crane bay, a 12,000 square foot office space, and product display area. The facility includes a paved parking area, four ingress/egress points off Innovation Drive and Howard Road, and one gated ingress/egress point off Greenway Court. The project includes a proposal for a large 14-acre outdoor storage area where operations equipment would be stored on crushed aggregate. The applicant is proposing to screen all outdoor storage with a solid 8-foot privacy fence throughout as well as incorporate decorative landscaping per their site plan submitted.

Per Section 19.38.040 outdoor storage areas within the technology park storage shall require **Conditional Use Approval**.

Proposed Condition



The plan commission shall use the following standards when reviewing applications for conditional use:

- A. That the establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of other property.
- B. That adequate utilities, access roads, parking drainage, landscaping and other necessary site improvements are being provided.
- C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this chapter. Where a variance is required, the plan commission may condition its approval on the subsequent approval of the variance.
- D. That the conditional use conforms to the purpose and intent of the city comprehensive plan.
- E. The conditional use and structures are consistent with sound planning and zoning principles.

Conditions, such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, added restrictions, highway access restrictions, increased yards, or parking requirements, may be permitted by the plan and architectural review commission upon its finding that these are necessary to fulfill the purpose and intent of this title.

The building and primary use of this proposed project does not require a conditional use permit, therefore the only item for consideration currently is the outdoor storage area associated with the building and business operations. The applicant intends to present a full and complete site plan and architectural review and certified survey map at a later date to be determined. It is at that time that the detailed architectural guidelines, building setbacks, and engineering will be formally reviewed.

**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.
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.
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.

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.

**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.

**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.

**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.**

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.

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.

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.

**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.**

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.

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.

## Planner's Recommendations

- 1) Staff recommends the plan commission **APPROVE** the conditional use permit with the following conditions:
  - A complete Site Plan and Architectural Review and CSM shall be submitted for consideration and approval within 3 months.
  - Landscaping plans shall be reviewed by Urban Forestry.
  - Compliance with Approved Plans. The use and site development shall substantially comply with all plans, site layouts, operational narratives, and materials submitted as part of the Conditional Use Permit application, except as modified by these conditions or approved by the municipality.
  - Permitted Storage Activities. Outdoor storage shall be limited to boats, piers, lifts, trailers, docks, related marine equipment, and materials directly associated with the approved boat and pier business operation.
  - Prohibited Materials. No storage of junk, salvage materials, inoperable vehicles unrelated to the business, hazardous waste, or materials not directly associated with the approved use shall be permitted on the property.
  - Location of Storage Areas. All outdoor storage areas shall be confined to designated areas identified on the approved site plan and shall not encroach into required setbacks, drainage easements, access aisles, parking areas, fire lanes, or public rights-of-way.
  - Maximum Storage Height. Outdoor stored materials and equipment shall not exceed a height of \_\_\_\_\_ feet unless specifically approved as part of the CUP.
  - Screening Requirements. All outdoor storage areas visible from public streets or adjacent residential properties shall be screened with a combination of fencing, landscaping, berming, or other approved screening methods. Screening shall be maintained in good condition at all times.
  - Fencing. Outdoor storage areas shall be enclosed with a fence of not less than 6 feet in height. Gates shall remain secured outside of normal business hours.
  - Hours of Operation. Business operations, including loading, unloading, and equipment movement associated with the outdoor storage area, shall be limited to the hours of \_\_\_\_\_ to \_\_\_\_\_, unless otherwise approved by the municipality.
  - Lighting. Exterior lighting shall be directed downward and shielded to prevent glare onto adjoining properties or public rights-of-way. Lighting shall comply with applicable municipal ordinances.
  - Noise Control. Operations shall comply with all applicable municipal noise regulations. Repetitive or excessive noise from equipment, repairs, testing, or loading activities that creates a nuisance to surrounding properties shall not be permitted.

- **Dust and Debris Control.** The property owner/operator shall maintain the site to prevent dust, loose debris, or materials from leaving the property. Outdoor storage areas shall be maintained in an orderly manner at all times.
- **Stormwater and Environmental Compliance.** All outdoor storage activities shall comply with applicable stormwater management requirements and state and federal environmental regulations. No fluids, fuels, or contaminants shall be discharged onto the ground or into stormwater systems.
- **Parking and Traffic Circulation.** Adequate on-site parking and maneuvering areas shall be maintained for employees, customers, deliveries, and trailers. No parking or staging associated with the business shall occur within public streets or rights-of-way.
- **Fire and Emergency Access.** Fire lanes and emergency access routes shall be maintained at all times in accordance with Fire Department requirements, and a Knox box shall be installed on site, and all emergency service personnel shall have access to the property through any gated entryways.
- **Property Maintenance.** The property shall be maintained in a clean, safe, and orderly condition. Accumulation of refuse, weeds, or deteriorated materials shall constitute a violation of the CUP.
- **Parking on Grass Prohibited.** Parking, storage, or staging of vehicles, trailers, boats, equipment, or materials on grass or other unapproved landscaped surfaces shall be prohibited. All parking and storage activities associated with the business operation shall occur only on approved hard-surfaced or crushed aggregate areas identified on the approved site plan.
- **Customer display areas** beyond those specifically approved as part of the CUP shall not be permitted without further municipal review and approval.
- **Transferability.** The CUP shall apply solely to the approved use and property owner/operator. Any substantial expansion, change in use, or intensification of operations may require amendment of the CUP.
- **Revocation for Noncompliance.** Failure to comply with the conditions of approval or applicable municipal ordinances may result in enforcement action, suspension, or revocation of the Conditional Use Permit following notice and hearing procedures.
- **State and Federal Compliance.** The applicant shall obtain and maintain all required local, county, state, and federal permits and approvals necessary for operation of the business.
- **Maintenance of Fencing and Screening.** All fencing, landscaping, screening materials, gates, and related improvements shall be continuously maintained in good condition. Damaged fencing, dead or diseased landscaping, leaning sections, missing materials, or deteriorated screening elements shall be repaired or replaced promptly. Failure to properly maintain required screening shall constitute a violation of the Conditional Use Permit.
- **Maintenance of Crushed Aggregate Surface.** All crushed aggregate, gravel, or similar surface materials utilized for outdoor storage areas, drive aisles, parking areas, or access

drives shall be continuously maintained in a smooth and stable condition. The property owner/operator shall regularly regrade, replenish, and repair aggregate surfaces as necessary to prevent excessive rutting, potholes, erosion, dust generation, standing water, tracking of material onto public roadways, or other deteriorated site conditions. Failure to properly maintain aggregate surfaces shall constitute a violation of the Conditional Use Permit.

- Any other conditions as stipulated by the PARC