

MEMORANDUM

To: City of Whitewater Plan and Architectural Review

Commission From: Allison Schwark, Zoning Administrator

Date: November 13, 2023

Re: Review and possible approval-Conditional Use Permit application for Women's Clinic and upstairs residential for a maternity home located at 209 S. Taft St.

Summary of Request	
Requested Approvals:	Review and possible approval-Conditional Use Permit application for Women's Clinic and upstairs residential for a maternity home located at 209 S. Taft St.
Location:	Parcel # /HAS 00046
Current Land Use:	Zoned-B1
Proposed Land Use:	Clinic/Office space on First floor and Residential on Second Floor
Current Zoning:	B-1-Community Business District
Proposed Zoning:	B-1 – Community Business District
Future Land Use, Comprehensive Plan:	Community Business

Description of the Proposal

The applicant is requesting a conditional use permit, to allow for a maternity home, otherwise known as living space, and apartment space for individuals to reside, in correlation with the ground level woman's clinic. The ground level will be used for a woman's clinic and office space, which are permitted uses in the B-1 zoning district. However, any new or modified residential living space requires a conditional use permit within this zoning district. The applicant is seeking approval for apartment spaces for up to 4 non-related individuals, 3 participants, and one caregiver.

Planner's Recommendations

New residential construction or existing residential modification resulting in addition of units or bedrooms.

The residential unit must meet the following standards:

- 1. A limit of four unrelated persons.**
- 2. Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.**
- 3. Number of parking spaces is determined using the R-3 parking regulations for the residential units.**

#1 Limit of unrelated persons

The owner, manager, or business must never allow more than 4 unrelated persons to reside in the residential space. This is a requirement that must be met, and always adhered to after the conditional use permit is issued.

#2 Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.

1. Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a required front or corner side yard, which is unoccupied by driveways, drive aisles, service drives, off-street parking spaces and/or loading berths and is unobstructed to the sky. This space of minimum prescribed dimension shall be available to all occupants of the building and shall be usable for greenery, drying yards, recreational space, gardening and other leisure activities normally carried on outdoors. Where and to the extent prescribed in these regulations, balconies and roof areas, designed and improved for outdoor activities, may also be considered as usable open space. The usable open space shall be planned as an assemblage or singularly designed area that maximizes the size for open space usage.

This site appears to be in compliance with condition number 2, requiring three hundred and fifty square feet of usable open space.

#3 Parking per R-3 regulations and standards

Medical and dental clinics and offices = 3 stalls for each doctor plus 1 stall for each 2 employees

R-3 = 80% per bedroom

The applicant states that there is 16 parking spaces on site currently, which is sufficient for requested use, and number of bedrooms, making the site in compliance with condition number 3.

Staff recommends **approval** of the Conditional Use Permit for 209 S Taft Street with the following conditions.

1. Applicant must adhere to city ordinances concerning lighting, landscaping, and buffering and work with city staff to ensure compliance.
2. Applicant must include a Knox Box on the outside of the building.

3. Applicant must follow all city ordinances regarding signage.
4. Any dumpsters must be screened from view.
5. Any conditions stipulated by the Plan and Architectural Review Commission.
6. Open space shall be maintained per code at all times.
7. Unrelated persons shall not exceed 4 at any time.