



# PLANNING STAFF REPORT

**MEMO DATE:** Revised September 8, 2020

**ARC DATE:** September 11, 2020

**PC DATE:** September 15, 2020

**TO:** Village of Cottage Grove Plan Commission  
Village of Cottage Grove Architectural Review Committee

**CC:** Village of Cottage Grove Board of Trustees  
Matt Giese – Village Administrator  
Lisa Kalata – Village Clerk  
Larry Konopacki – Village Attorney  
Kevin Lord – Village Engineer

**FROM:** [Erin Ruth, AICP – Village Planning Director](#)

**RE:** **Dolphin Swim Academy – Site Plan & Conditional Use Permit**

## BACKGROUND

Property Owner: Dolphin Swim Academy

Location: Lot 15, Cottage Grove Commerce Park (NE corner of Limestone Pass and Landmark Drive)

Area: 2.66 acres

Agent: Brittany Ballweg – Owner  
Joe Gallagher – Architect, Ramaker

Existing Zoning: PI, Planned Industrial

Proposed Zoning: Planned Office/Industrial

## OVERVIEW

The applicant is seeking approval of a site plan and conditional use permit to build and operate the Dolphin Swim Academy on Lot 15 in the Commerce Park (on the NE corner of Limestone Pass and Commerce Parkway).

The proposed building is 7,400 square feet, including a 2,000 square foot pool with two 8' wide, 25-yard long lanes. A proposed mix of daytime, evening, and weekend hours increases activity in the park throughout the week.

A swim school is not a land use that is specifically addressed in the land use chapter of the zoning ordinance. In the opinion of staff, the land use in the ordinance that best captures the intent of the project is 'indoor institutional.' Indoor institutional includes "all indoor public and not for profit recreational facilities" specifically including gyms, swimming pools, schools, and "similar land uses." The proposed swim school is essentially a combination of a gym, pool, and school. While not public or non-profit, staff would consider the project a "similar land use." Indoor institutional is permitted as a conditional use within the Planned Industrial district.

## **STAFF RECOMMENDATION**

- A. Staff recommends the Conditional Use Permit be **APPROVED**.
  
- B. Staff recommends the Site Plan be **APPROVED WITH CONDITIONS**, with the following conditions:
  - 1. All rooftop mechanical equipment shall be architecturally screened and all ground based mechanical equipment shall be screened by landscaping elements. The applicant shall verify equipment locations and provide details of screening methods for staff review prior to installation.
  - 2. A sign permit must be obtained prior to installation of any signage.
  - 3. The parking lot shall be lit to comply with 325-75(F)(3) and 325-78. The applicant shall submit a lighting/photometric plan for staff review per 325-112(C)(3)(n) to verify compliance.
  - 4. The site plan submitted shows a 6,000 sq. ft. "future building." A separate site plan review and approval will be required prior to initiating construction of this building to verify use and design details.
  - 5. Areas designated for future parking or buildings shall be planted with turf or other acceptable landscaping and maintained until those elements are constructed. This condition shall be shown and the method of landscaping shall be defined on the above referenced landscaping plan.

## **ADDITIONAL BACKGROUND**

### Comprehensive Plan Consistency

The subject parcel is designated as Planned Office/Industrial on the Future Land Use Map in the Comprehensive Plan. Per the land use chapter the Planned Office/Industrial category is intended to attract a number of light industrial and office uses as well as “supporting commercial uses” with examples including day care, health clubs, and restaurants. In the opinion of staff, the swim school is a supporting use similar to a health club.

The Planned Office/Industrial chapter includes several design guidelines. The proposed project generally meets those guidelines. It should be noted that non-architectural materials such as metal siding with exposed fasteners should not be allowed in areas that are easily visible. It is not clear whether the metal panels on the proposed building facades have exposed fasteners.

#### Commerce Park Covenants

Article IV(1)(C) provides building standards for the Planned Industrial portions of the park. Paragraph 1 states that “wood siding” is not allowed. The proposed building includes an engineered wood panel system on the front entry portion of the building. In the opinion of staff, these engineered wood panels are employed in a manner similar to an architectural metal panel as opposed to a residential style wood siding the covenants intend to prohibit and should be considered an acceptable material.

The covenants require screening of all exterior mechanical equipment. The applicant should verify locations of all equipment and provide details showing the method of providing adequate screening. This applies to both the architectural screening of rooftop equipment and using landscaping to screen ground mounted equipment.

The covenants require all occupied facilities to have fire protection sprinkler systems.

The applicant shall provide a landscaping plan for staff review to verify compliance with the covenants.

#### Zoning Ordinance Consistency

The proposed project generally meets the requirements of the zoning ordinance, with the following exceptions.

The applicant shall submit a lighting/photometric plan for staff review per 325-112(C)(3)(n) to verify compliance with Article VI of the ordinance.

#### Conditional Use Permit Criteria

325-111(D)(2) of the zoning ordinance requires a proposed conditional use to be compliant with standards (a) to (f) of that section. In the opinion of staff, the proposed use is compliant with those standards as outlined below.

- a) *The proposed conditional use (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies, and standards of the Village of Cottage Grove's Comprehensive Master Plan, this chapter and any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the Village.*

Staff believes the proposed use meets the above criteria by diversifying the tax base, providing employment, and providing a new service within the Village.

- b) *The proposed conditional use (in its specific location) is in harmony with the purposes, goals, objectives, policies, and standards of the Village of Cottage Grove's Comprehensive Master Plan, this chapter and any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the Village.*

As noted above, the proposed project is consistent with the Planned Office/Industrial requirements in the Comprehensive Plan.

- c) *The proposed conditional use, in its proposed location and as depicted on the required site plan, does not result in substantial or undue adverse impacts on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights of way, or other matters affecting the public health, safety, or general welfare either as they now exist or as they may in the future be developed as a result of implementation of the provisions of this chapter, the Comprehensive Master Plan, or any other plan, program, map or ordinance adopted or under consideration pursuant to official notice by the Village or other government agency having jurisdiction to guide development.*

No adverse impacts are expected to be created by the proposed project.

- d) *The proposed conditional use maintains the desired consistency of land uses, land use intensities and land use impacts as related to the environs of the subject property.*

The intensity of land use fits expectations for the Commerce Park.

- e) *The proposed conditional use is located in an area that will be adequately served by, and will not impose and undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.*

The full range of urban services are available at the subject property and to the existing building, and the proposed use will not add an undue burden to any public utility or service.

- f) *The potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.*

There are no negative impacts expected. Potential benefits include the addition of a business that expands the hours of activity within the park. Swimmers and their families are likely to patronize other businesses in the park, specifically the restaurants.