



MEMORANDUM

To: Mayor Stille and St. Anthony Village City Council
From: Stephen Grittman, City Planner
Date: October 5, 2022
Meeting Date: October 11, 2022
NAC Project No. 323.01 – 21.07
Request: Request for a Conditional Use Permit for an amendment to a Planned Unit Development for a new Bank building with Drive Through Facility

Property Address: 3800 Silver Lake Road

Property PID: 31-30-23-34-0017

PROJECT DESCRIPTION

The Applicants are the owners of the property (Sterling Organization), representing Chase Bank as a new construction tenant. The project involves amending a PUD zoning district to accommodate a new banking facility with a Drive-Through facility. The developer proposes to construct a new bank facility on a portion of the former Walmart parking lot, now a separate parcel in front of the “Ruby” multi-family residential building.

The building is a 3,308 square foot structure that would sit on the south half of what is currently a vacant paved space. The applicant proposed to remove the existing asphalt and concrete on that portion of the site – the plans indicate that the northerly portion of the site would be subject to the property owner’s separate work.

Banking and other financial institutions are permitted uses in the Commercial District generally, and in the Silver Lake PUD specifically. The drive-through facility requires a separate Conditional Use Permit. As such, the request for a Conditional Use incorporates an amendment to the Silver Lake PUD District. In this case, the drive-through facility serves an ATM, and there is no drive-through teller window.

To be noted is that the project construction limits relate to the south portion of the existing parcel. No subdivision is being proposed at this time, and the northerly portion of the site has no specific plans for modification as a part of this request.

STAFF AND PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing on the proposed application on September 20, 2022. No one from the public was present to speak to the proposal, and the applicant was represented by a member of its consulting/design team. The Planning Commission discussed the item, asked questions of staff and the applicant. The Commission commented as to access into and out of the site, and screening and setback distances from the Ruby apartment building. Following up on a specific question raised by the Commission, the distance from the Ruby building to the property line is approximately 45 feet, and an additional 70 feet from the property line is proposed to the corner of the drive-through portion of the Chase building. After the hearing, the Commission voted unanimously to recommend approval of the proposal.

Staff has reviewed the project for land use compliance with the intent and policies of the City's Comprehensive Plan, and for zoning consistency with the C, Commercial District as a baseline. In summary, the Comprehensive Plan promotes use of the subject properties that reflect the proposed commercial uses in the area. The proposed Conditional Use Permit PUD meets the requirements of the Zoning Ordinance for the baseline district zoning standards. There are no areas requested for PUD flexibility.

As such, planning staff recommends approval of the Conditional Use Permit to amend the Silver Lake PUD district as proposed for the banking facility with a drive-through window and lane.

GENERAL INFORMATION

Applicant:	Sterling Organization for Chase Bank	
Owner:	Sterling Organization	
Location:	3800 Silver Lake Road;	
Existing Land Uses	Vacant Parking Lot	
Zoning:	C, Commercial	
Deadline for Agency	Application Complete Date:	August 18, 2022
Action:	60 Days:	October 17, 2022
	Letter Sent:	NA
	120 Days:	December 16, 2022

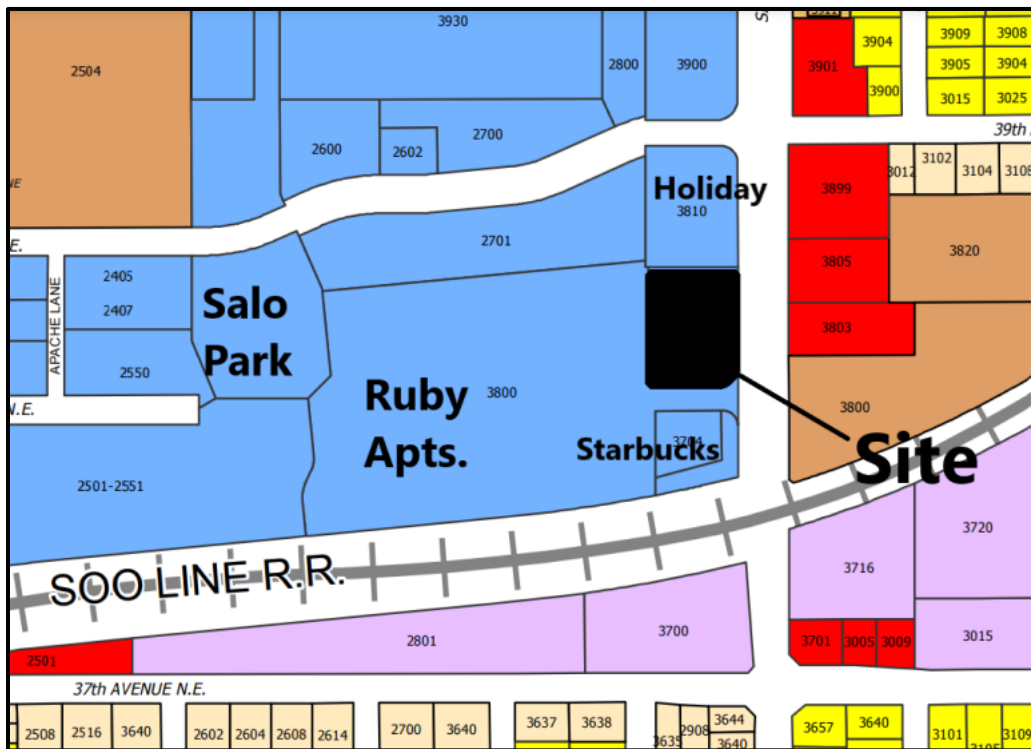
1. Background

Project Description. The applicants are seeking a Conditional Use Permit to amend the Silver Lake PUD through the construction of a financial institution with a drive-through facility on a portion of the former Walmart parking lot. The site location is just south of the

existing Holiday station, adjoining the entrance drive to the Ruby apartments and the Starbucks coffee shop.

The use is consistent with both the Comprehensive Plan's land use direction, as well as with the intent of the relevant zoning, which would be "C", Commercial for the business areas of the Silver Lake PUD District. For commercial property, drive-through facilities add a Conditional Use Permit requirements for what would otherwise be permitted uses.

The facility is proposed to occupy the south half of the 1.2 acre site. The northerly portion would be reserved for future development.



2. Analysis

Site Plan Review Summary

Proposed Bank Facility - 3800 Silver Lake Road

The new bank building would be approximately 3,803 square feet. The site currently has no direct access to Silver Lake Road, and would take its access from an internal private street in the Silver Lake PUD. The applicants will need to confirm access permission for the subject property, which previously had been utilized as parking for the former Walmart facility. Moreover, when the northerly portion of the site is ready for development, a plat and revised access easements may be required as a part of those land use applications.

Circulation, Access, and Parking. Traffic entering the site would have access to parking along the front entry portion of the building, as well as parking along the east (front) of the lot. This

southerly access point would also serve the drive-through lane that loops to the ATM window on the west side of the building. A total of 31 parking spaces serve the building, a ratio of one space per 123 square feet gross. The zoning ordinance requires at least one space per 300 square feet. The proposal is easily consistent with this aspect of the code.

The drive-through gains its access from this southerly driveway. The drive-through appears to have stacking space for as many as six to seven vehicles, with a “by-pass” lane for vehicles that decide to leave the queue. For ATM-only service, this stacking amount should easily serve peak use of the facility. The bank also includes a walk-up vestibule with additional ATM services as a part of the main banking lobby.

A second access drive is shown north of the building, connecting the private street to the north portion of the bank driveway. In the northeast corner of the site, an internal driveway connection would be made to the future development on the north portion of the subject parcel. As noted, driveway easements would be required to ensure that all parcels have continued access throughout the PUD area.

Building Materials. Building Materials are a combination of primarily brick, glass, and cast stone with metal panel accents. The building itself would be as high as 22 feet to the top of the highest parapet, well under the maximum 35 foot building height. No issues with materials or general design are evident.

Signage. No signage information has been included with the permit request. It should be noted that under the general sign requirements, each freestanding business location is permitted to have two signs, with total area based on the code requirements applied to the site in question. One of those signs may be a monument sign.

Staff note on signage following the Planning Commission meeting:

On the site currently exist two freestanding signs. One is in the southeast corner of the Chase site, and is proposed to remain in place. That sign is a monument sign identifying various tenants of the Silver Lake Village shopping district.

The other existing sign is on the developer/owner’s property in the northeast corner of the site, the former Walmart freestanding sign. This sign is no longer applicable to the overall project area. Approval of the Ruby project included a requirement for separate signage approvals consistent with the requirements of the City’s sign regulations. As such, it is expected that this abandoned sign should be removed as a condition of this amendment approval.

Separate sign permitting will be a requirement for identification on the proposed Chase building, and will need to take the current monument sign into account. **The conditions of approval incorporated into the Planning Commission’s recommendation have been amended to more specifically address this aspect of the plan.**

Landscaping. The landscaping plan illustrates a fairly well landscaped site. Additional overstory tree planting is shown along the west boundary adjoining the private street, and the remainder of the site includes a variety of ornamental trees, shrubs, perennial plantings, and lawn. The limits of construction appear to retain a row of existing trees along the common PUD driveway along the south boundary of the site.

Trash Enclosure. The site plan also includes a detached trash enclosure facility in the southwest corner of the site. The drawings appear to suggest bollard protection of the enclosure, but details, materials, and other aspects of the enclosure are not identified. The enclosure should be constructed of materials that reflect those used in the principal building. Submission of plans verifying this requirement will be a condition of CUP approval.

3. Criteria for and Consistency with Criteria for PUD Approval. Title XV Land Usage, Chapter 152 Zoning Code, Section §152.209.

SUMMARY AND STAFF/PLANNING COMMISSION RECOMMENDATIONS

Conditional Use Permit for an Amendment to the Silver Lake PUD - Staff and Planning Commission recommend approval with the following conditions (as amended below):

1. The applicant provides signage details consistent with the City's sign ordinance for separate permitting. **This condition includes a requirement for removal of the non-conforming/abandoned former "Walmart" sign on the northeast corner of the subject parcel, and incorporation of the existing monument sign on the Chase portion of the project site, along the primary entrance road.**
2. Access easements are updated as necessary to ensure access and cross use of common private streets in the PUD.
3. The applicant provides plans for the proposed trash enclosure verifying consistency of materials between the enclosure and the principal building.
4. Issues related to grading, drainage and utilities shall be subject to comment and recommendation by the City Engineer.
5. Consideration of comments of other City Staff.

This recommendation is based on a finding that the proposal, with the conditions cited, is consistent with the requirements for Conditional Use Permit and PUD consideration, with the long-term objectives of the recommendations and policies of the St. Anthony Comprehensive Plan.

ATTACHMENTS

Exhibit A: Location map

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Exhibit B: Application and Supporting Material

Exhibit C: Proposed Council Resolution 22-071