

**CITY OF SAINT ANTHONY VILLAGE
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 22-071

**A RESOLUTION APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT
FOR A FINANCIAL INSTITUTION WITH DRIVE-THROUGH IN THE
SILVER LAKE PUD ZONING DISTRICT**

WHEREAS, the City of St. Anthony Village received a request from Sterling Organization on behalf of Chase Bank for financial institution with drive through at 3800 Silver Lake Road; and

WHEREAS, the property consists of approximately 1.2 acres and is located in the Silver Lake PUD district; and

WHEREAS, the subject parcel is currently vacant, with an independent parking lot, but no principal building; and

WHEREAS, Drive-through facilities are allowed by Conditional Use Permit in the Commercial areas of the City; and

WHEREAS, consideration of a conditional use permit in such areas is required to avoid unreasonable negative impacts on adjoining commercial property; and

WHEREAS, the conditions identified as a part of an approval for the proposed Conditional Use Permit are necessary to ensure full compliance with the St. Anthony Village zoning ordinance; and

WHEREAS, the Planning Commission has considered all of the comments and the staff report, which are incorporated by reference into the resolution; and

WHEREAS, the Planning Commission held a public hearing on September 20, 2022 on the application and the applicant and members of the public were provided the opportunity to present information to the Planning Commission; and

WHEREAS, the Planning Commission recommended approval of the Conditional Use Permit PUD Amendment with the conditions noted in the Staff report, and as listed below; and

WHEREAS, the City Council makes the following findings of fact in support of the resolution for approval:

1. The property is located in an area of commercial land use on a major collector roadway.
2. The proposed use is identified as an allowed Conditional Use in the Commercial zoning district which is the appropriate land use designation in this PUD District.
3. The additional impacts of the proposed use are in need of mitigation as a requirement to meet the standards of the zoning ordinance, including compatibility with other uses in the neighborhood.

4. With the clarifications identified as conditions recommended by the Planning Commission, the proposed improvements constitute a reasonable use of the property.
5. The proposed uses, constructed and operated within the requirements of the Code and the conditions of this resolution, will not impact surrounding property or public areas beyond the expected impacts of permitted, compliant uses in the commercial zoning district, nor negatively impact health, safety, or welfare of the community.
6. With the proposed conditions, the City Council finds that there is no evidence to believe that the use will have a detrimental effect on neighboring uses or property values.

NOW THEREFORE MAY IT BE RESOVLED, that the City Council of the City of St. Anthony Village accepts the findings and recommendations documented in the staff report and approves Conditional Use Permit for PUD Amendment authorizing a financial facility drive-through as shown on the plans submitted on or before August 18, 2022, at 3800 Silver Lake Road, in accordance with the following conditions:

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.

Passed in regular session of the City Council on the 11th day of October, 2022.

Randy Stille, Mayor

ATTEST: _____
City Clerk

Review for Administration: _____
Charlie Yunker, City Manager