



## Legislation Text

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**Date:** August 15, 2019

**To:** Members of the Planning Commission

**From:** Scott Tempel, City Planner

Consideration of Conditional Use Permit for Drive-Through at 142 West 2<sup>nd</sup> Street

**Action Requested:**

The Planning Commission considers approval of a Conditional Use Permit for a Bank with a Drive-Through on Lots 4 and 5 of The Crossing.

**Summary Report:**

Premier Bank is proposing to relocate their Northfield branch at 112 5<sup>th</sup> Street East to 142 2<sup>nd</sup> Street West. The bank would locate on the vacant lots bounded to the west by Highway 3, to the east by the Marriott Fairfield Inn and Suites, to the south by 2nd Street, and to the north by The Crossing commercial development. The proposed project is a single-story 3,465 SF building with a height of 31 feet to present the appearance of a two-story building. The building features brick and stone architecture inspired by the two colleges. It will have a small drive through lane for night drop, customer service, and an ATM. Drive-throughs are an allowed conditional use in the C1 district. Both the existing bank site and the proposed location are the C1 Downtown, East of Highway 3, zoning district.

This conditional use permit is the first part of a chain of approvals needed to move two projects forward; the Premier Bank relocation and the construction of the 5<sup>th</sup> Street Lofts. Granting the CUP will allow the bank to relocate and free up the current site for redevelopment. The proposal also includes provisions for a temporary bank on Lot 3 of The Crossing. This use is allowed through an administrative permit.

**Analysis:**

Conditional uses are those uses that because of special requirements or characteristics may be allowed in a particular zoning district only after a recommendation by the planning commission and a decision by the city council. In the approval of a conditional use permit, the city council may impose such conditions as necessary to make the use compatible with other uses allowed in the same district zone or vicinity. The approval criteria for Conditional Uses are set in Section 8.5.9.

- (1) Criterion (a) below must be met and criteria (b) through (n) shall be considered in the review of conditional use permit applications:

**Findings**

- a. **The proposed use is allowed as a conditional use in the district for which it is proposed as shown in Table 2.7-1: Allowed conditional use.**

- b. **The conditional use will be in accordance with the general objectives, or with any specific objective, of the city's comprehensive plan and this LDC:** The conditional use is in accordance with the general objectives of the city's comprehensive plan and this LDC.

#### Comprehensive Plan Considerations

The proposed project aligns with the Northfield Comprehensive plan by creating a new commercial investment for an existing downtown business to relocate and improve its existing facility while remaining within the Downtown district. The proposed project will retain jobs in the Downtown commercial district and will create construction jobs while the building is completed. The project will stimulate business by churning investment dollars within Northfield and will provide a property tax boost for the City by bringing a new commercial building to an existing vacant lot. The proposed project fits the city's zoning and C-1 district for the site. The site is served by infrastructure creating a more sustainable pattern that the community of Northfield has indicated is a preference. This project will provide "employment opportunities, increased tax base and is an ancillary business that supports other businesses".

**The Land Use chapter of the Comprehensive Plan will be consulted for any development proposal based on the following steps. If a proposal is not consistent with recommendations of any one of these steps, the proponent should re-evaluate and make adjustments (or provide justification for deviation) if the proposal is not aligned with the following three aspects:**

1. **Intent:** Development proposals will reflect the spirit and values expressed in the 12 **principles** (statements of intent) (pages 4.9 to 4.13).
2. **Location:** Development proposals will be consistent with the **Conservation and Development Map** (page 4.18) and location descriptions (pages 4.14 to 4.15).
3. **Character:** Development proposals will be consistent with the **Framework Map** (page 4.19) and recommendations and context descriptions (pages 4.15 to 4.17).

#### **Intent:**

1. **The small town character will be enhanced.**

LU 1.4 The project provides appropriately-scaled places for structured and casual interaction and is also pedestrian and bicycle friendly given its location, bike racks, and sidewalk enhancements.

2. **The natural environment will be protected, enhanced and better integrated in the community.**

n/a

3. **The preference for accommodating future growth is in infill locations, then redevelopment/land intensification opportunities, and then on the edge of existing developed areas.**

This is an infill project.

4. **New and redeveloped residential communities (areas) will have strong neighborhood qualities.**

n/a

5. **Environmentally-sensitive and sustainable practices will be integrated into new developments and redeveloped areas.**

Stormwater and erosion control measures meeting current standards are in place.

6. **Places with a mix of uses that are distinctive and contribute to increasing the city's overall**

**vitality are preferred.**

The project is part of a mixed-use development.

- 7. Neighborhood-serving commercial will be small scale and integrated with the residential context.**

n/a

- 8. A wider range of housing choices will be encouraged - in the community as well as in neighborhoods.**

n/a

- 9. Rural character of certain areas of the community will be protected.**

n/a

- 10. Streets will create an attractive public realm and be exceptional places for people.**

n/a - no public streets to be constructed. An attractive streetscape is provide with extensive landscaping.

- 11. Places will be better connected, in part to improve the function of the street network and also to better serve neighborhoods.**

The project is well connected to the street network.

- 12. Opportunities will be created to walk and bike throughout the community.**

The project is designed to encourage pedestrian and bicycle movement through features such as sidewalks and high quality planter and buffer strips to protect the pedestrian.

Sidewalks are connected to the public network.

Biking and other alternate forms of transportation are accommodated.

#### **Location:**

The project is located appropriately in the Core Enhancement Area of the Conservation and Development map.

#### **Character:**

The project is located appropriately in the Core area of the Framework Map.

#### Land Development Code Considerations

The project is in harmony with the general purposes and intent of the LDC. The proposed use is consistent with the general goals for the C1 zone district by providing a compact, pedestrian friendly commercial development. The Land Development Code was adopted to protect and promote the public health, safety, morals, and general welfare of the city.

The proposal meets the following LDC purposes:

**1.1.3:** The project is proposed on an infill site that has been vacant for over 10 years, and will result in a successful expansion of land development at this important corner of Northfield.

**1.1.6:** The project will provide a distinctive use and will contribute to the city's overall vitality.

**1.1.7:** The project will result in introducing a business to this location with a strong focus on strategic growth and sustainable development/business practices.

**1.1.10:** The project will result in connecting development from the north to the downtown core through completion of parking and pedestrian access. Contributes to the visual and architectural prominence of a corner that serves as a gateway to the City, the downtown, and the colleges. The project enhances both physical and visual connectivity.

**1.1.11** The project will be of human scale, with connective pedestrian walkways to the north and to the south, and will provide a completed streetscape to its Hwy 3, and 2<sup>nd</sup> street boundaries.

**1.1.12:** The project design utilizes current primary access points from Highway 3 and 2<sup>nd</sup> Street, and therefore maintains flow and function. The project incorporates pedestrian walkways, and finishes many of the connection points that have been left vacant during the period the site has remained undeveloped. The project provides for adequate off street parking through the use of both parcels. Off-street parking in this area is in short supply, so by developing this area for a single building user it will improve general parking accommodation for the buildings customers, w/o putting further strain on adjoining properties. The area provides no on-street parking opportunities.

**1.1.14:** The project will be an asset to this location, and encourage a vibrancy to the downtown core.

**1.1.15:** The project ensures compatibility to the surrounding properties including residential, commercial and hospitality.

The project will also result in the completion of numerous objectives in the Comp Plan. Land use objectives include "building inward and making more efficient use of land." The site has been vacant and underutilized for years, and the proposed project will provide a development that fits The Crossing development plan. The site is already served with infrastructure which results in a more sustainable pattern that the 'community of Northfield has indicated as a preference'.

The project will contribute to the continued expansion of economic development. The Comprehensive Plan identifies a desire for commercial expansion and this project will be a contributor. The project will provide 'employment opportunities, increased tax base and an ancillary business that support other businesses'.

- c. **The conditional use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area:** The conditional use will not change the essential character of the area.

The proposed exterior design will incorporate historical elements inspired by the colleges using high quality brick, stone and glass to provide a premier building design for a gateway corner in the City of Northfield. The building and associated operation of a financial institution will complement the neighboring commercial uses within The Crossing development including Fairfield Inn and Suites, residential condominiums and existing mixed-use commercial property to the north of the subject site.

When The Crossing concept was approved, significant review went into analyzing the impact of the

project on neighborhood character. Resolution #2005 -060 on the PUD Conceptual Development Plan for The Crossing of Northfield was approved on August 15, 2005. The findings were:

1. Adequate property control is established and provided to ensure compliance with the approved development plan and to define legal responsibilities for maintenance.
2. The interior circulation plan plus access from and onto public right -of -way does not create congestion or dangers and is adequate for the safety of project residents and the general public.
3. Nearby streets are sufficiently constructed so that development of the proposed PUD will not create undue demands for off -site transportation improvements by others.
4. Open space is provided to protect significant natural environments and/or serve recreational needs generated by the development. Such open space shall be either held in common ownership by all owners in the PUD or dedicated for public use upon approval by the City Council.
5. The architectural design of the project is reasonably compatible with structures and uses in the area within 350 feet of the boundaries of the proposed project, including but not limited to exterior materials, height and building style. The preliminary drainage and utility system plans have been approved by the Public Works Director /City Engineer.

- d. **The conditional use will not be hazardous or reasonably disturbing to existing or future neighboring uses:** No hazards or disturbance identified.

The proposed commercial use of a financial institution integrates with the neighboring commercial development at this stoplight controlled gateway intersection. The site and building design complement community architecture, enhance visual appeal, and are sensitive to access, traffic, flow, parking, pedestrian and bicycle traffic. Attention has been spent on providing adequate green space and landscaping to enhance the overall development.

- e. **The conditional use will be served adequately by essential public facilities and services such as, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools:** The project is being, planned on an 'infill site'. The property is currently served with city services necessary to complete the project.
- f. **The benefits of the conditional use outweigh the potential negative effects to the surrounding area or community:** The project will have a positive effect.

The project will provide a business use to a lot that has stood vacant for over 10 years in its current layout and to an area that has been underdeveloped for over 30 years. The bank is compatible with the surrounding businesses, and will be an enhancement to the community of Northfield.

The proposed financial institution use complements the neighboring land uses of condominium, hospitality and mixed use commercial presently in place and will be well served by the existing traffic features that serve the site as well as the stoplight controlled intersection at the corner where the project will be located.

- g. **The conditional use will not create excessive additional requirements at public cost for public facilities and services:** No additional public costs are associated with this project.

- h. **The conditional use will not involve uses, activities, processes, materials, equipment and conditions or operations that will be detrimental to any persons, property, or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare, or odors:** No detrimental uses are proposed.
- i. **The conditional use will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance as may be established in the comprehensive plan or other city plans related to natural, scenic, or historic features:** The use will not result in loss or destruction of features cited.
- j. **The traffic and parking generated by the use will not lower the Levels of Services as described in the comprehensive transportation plan update of intersections within a quarter of a mile of the site:** No lowering of Service Levels anticipated.

The two access points into this development were designed to handle the traffic capacity of this use. This intersection is denoted as Periodically Congested. Roadways that are periodically congested (having a volume to capacity ratio between 0.5 and 0.75) are generally identified as providing an acceptable level of service.

At its current location, the Premier Bank drive-through serves an average of only 20 vehicles per day. The new location is expected to generate more users, but not to the extent as to lower levels of service.

- k. **In residential districts, the use is of a similar height, building orientation, massing, setback, and scale as to be compatible with surrounding uses in compliance with Section 3.5, Neighborhood Compatibility Standards:** N/A
- l. **In the Perimeter Transition Area (PTA) within the college development district (CD-S)....:** n/a
- m. **Impacts such as noise, hours of activity, and outdoor lighting have been sufficiently addressed to mitigate negative impacts on nearby uses:** Yes.

The proposed use will not negatively affect the existing noise level currently experienced at the site. Hours of activity will generally fall between normal business hours from approximately 7 AM until 6PM six days per week. Outdoor lighting will be compatible with existing site characteristics and neighboring properties, and will meet LDC standards.

- n. **Parking is adequately provided for the proposed conditional use, but an excessive number of parking spaces are not proposed:** Adequate parking provided.

As the property is zoned C1-B, there are no minimum parking requirements. The LDC outlines minimum parking requirements in other districts to be between 14 and 21 spaces for retail/service uses of the building size proposed for this project. The project is proposing to provide 21 parking spaces.

**The following information shall be provided as part of the Conditional Use Permit application:**

- (i) **Number of customers, patients, visitors, or other patrons of the proposed use. Information should also be included detailing the expected parking behavior of these persons (i.e., how long a customer may be expected to be at the facility);**
- (ii) **Number of full time and part time employees;**

**(iii) Number and approximate timing of deliveries.**

Current daily customer visits approximate 65 per day on average. Five full time equivalent employees will service this location and expected deliveries to the site are approximately 1-2 per day. The proposed parking spaces will meet parking requirements for financial institutions and will actually alleviate parking constraints existing in the neighborhood as an agreement is anticipated between the neighboring Fairfield for employee parking use during "off business" hours when the bank is closed for business.

**Alternative Options:**

Conditional uses are allowed uses subject to additional scrutiny to address potential negative impacts. If unaddressed negative impacts are identified, the proper course of action is to condition the approval to address the impact, rather than deny the permit.

**Financial Impacts:**

There are no negative financial impacts to the City of Northfield by approving the CUP. The investment is anticipated to have a higher estimated market value compared to the existing bank and will add to future tax revenue.

**Tentative Timelines:**

If the CUP is granted, Premier Bank will submit for Site Plan Review with the hope of breaking ground yet in 2019. Prior to demolition of the existing bank, a temporary structure will be in operation on Lot 3 of The Crossing. The 5<sup>th</sup> Street Loft project will then be able to proceed, subject to Site Plan approval and financing.