

Memorandum

To: Planning Commission Members
From: Development Department
CC: Honorable Members of City Council, Clerk of Council, City Departments
Date: March 4, 2009
Re: Staff Report for Citizen's Bank of Ashville- Special Use Permit

Item #4 – Citizen's Bank of Ashville (PID#200901060003)

Application: Special Use Permit
Location: 2250 Stringtown Road
Applicant: **Calvin Gebhart**
Zoning: C-2 (Retail Commercial)
Use: Bank Branch Office

Relevant Code Section(s):

- 1135.09(b)(12) Special Use Permits

Project Summary:

The applicant, Citizen's Bank of Ashville, is proposing to redevelop the existing site at 2250 Stringtown Road. The site currently exists as a Cord Camera, with a drive in window on the eastside of the facility. The proposed plan will close the current drive in window and create a new drive thru facility approximately thirty-six (36) feet in width extending from the north side of the building. The drive thru area will be made up of two full-service lanes and one ATM lane.

Review of Standards and Requirements:

The Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

Standard is Met: The proposed use of the area does not change the existing or intended character of the district. The proposed drive thru is consistent with other vehicle-oriented businesses in the immediate area.

2. *The proposed use shall not adversely affect the use of adjacent property;*

Standard is Met: The proposed use will not adversely affect the use of adjacent properties. The proposed plan has landscaping to screen between adjacent properties to further reduce any impact from the proposed drive-thru.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

Standard are Met: The proposed plan will not adversely affect persons residing or working in the neighborhood. It is located and properly designed to fit within the zoning district standards, and has been designed with proper safety measures.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

Standard is Met: The proposed facility is adequately served by police, fire, stormwater, water, sanitary sewer and other services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

Standard is Met: The redevelopment of the site will not impact public rights-of-way.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located.*

Standard is Met. The use is classified as a drive-thru facility within Section 1135.09(b)(12)(A) which requires Special Use Permit approval within the C-2 zoning.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates.*

Standard is Met: The application procedures were adhered to for this process.

10. *Loudspeakers shall be located and designed, with volume and hours of operation controlled, in a manner to minimize noise impacts on nearby residential uses.*

Standard is Met: The proposed drive-thru is not within a residential area. The nearest residential area is approximately 600 feet away and will not be affected by the drive thru or its speakers.

11. *Lanes required for vehicle access to and waiting for use of a drive thru facility shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, to provide escape/abort lanes for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles, and to minimize impacts on the use of other required parking or drives or on the use abutting streets and hazards to pedestrians.*

Standard is Met: The proposed vehicle lanes provide adequate access, are of sufficient length, and do not impact the site parking or abutting streets.

12. *The applicant shall provide a traffic study which documents to the satisfaction of the Planning Commission the projected vehicular use of the proposed facilities and evidence of compliance with the provisions of this Zoning Ordinance.*

Standard is Met: The proposed use has been reviewed and approved by the City's consulting engineers and complies with the provisions of the Ordinance

13. *The applicant shall so design the site plan or otherwise provide assurances as to reduce the impacts of lighting, litter, noise, and exhaust resulting from the facility, especially impacts on nearby residential uses.*

Standard is Met: The proposed development has been designed to reduce negative impacts on adjacent sites. The nearest residential area to the site is approximately 600 feet away and will not be impacted by the proposed use.

Recommendation(s):

After review and consideration, the Development Department recommends that Planning Commission make a recommendation of approval to City Council for this Special Use Permit.