

## MINUTES EXCERPT

### CALISTOGA PLANNING COMMISSION

August 28, 2013

The meeting was called to order at 5:30 pm.

#### A. ROLL CALL

Commissioners present: Chairman Jeff Manfredi, Vice Chairman Paul Coates, Commissioners Carol Bush, Scott Cooper and Walter Kusener. Staff present: Planning & Building Director Lynn Goldberg, Senior Planner Erik Lundquist.

#### G. PUBLIC HEARINGS

3. **Bank of America ATM (ZO 2013-7 & CUP 2013-10):** Consideration of a recommendation to the City Council regarding an amendment to the Downtown Commercial Zoning District to allow off-site free-standing automated teller machines (ATMs), and a conditional use permit to allow an off-site ATM located at 1450 Lincoln Avenue.

**Vice-Chairman Coates** returned to the dais. **Commissioners Bush and Cooper** recused themselves from this item because of their businesses' proximity to the property in question and left the meeting.

**Mr. Lundquist** presented the staff report on the applications, noting the staff recommended denial of both for the reasons detailed in the written report.

**Chairman Manfredi** opened the public hearing.

**Charmi Deepak**, representing Bank of America, observed that an ATM is a modern-day bank. It's unmanned, but allows financial transactions. Banks are allowed in the Downtown Commercial Zoning District, so they applied for a Zoning Ordinance amendment to allow stand-alone ATMs. A walk-up ATM would provide another option for those who don't wish to interface with a teller or stand in line. It would actually improve the downtown rather than hurt it. She is not aware of any plans to close the bank if the ATM is approved. In some cities, there are multiple stand-alone ATMs along with a branch office. There isn't room to add another ATM at the existing bank branch. The proposed location would provide adequate area for an ADA landing as well as providing shade, neither of which are provided by the existing ATM. Regarding staff's concern about the modern design of the ATM, the design submitted with the conditional use permit application is an off-the-shelf design. They can design an ATM that complements Calistoga. They are sensitive to lighting pollution, so all lighting will be cut-off and not spillover. Security cameras will be installed, which have been helpful for security in general in other communities. The use will help the community overall. They can work with the City to meet its signage requirements. Regarding trash concerns, the ATM will have an

option to not print a receipt and a trash can would be placed close by. The proposed location does not interfere with the historic character of any adjacent building. There is an existing telephone booth near the proposed location of the ATM that would be removed; the proposed ATM would simply be updating technology. The proposed ATM is consistent with the walkability of the downtown because it doesn't require driving, so it's consistent with the General Plan.

**Chairman Manfredi** closed the public hearing.

**Vice-Chair Coates** is surprised that the applicant didn't work to submit a design that is more compatible with Calistoga. He questions whether ATMs are necessary for a single bank on opposite sides of the street.

**Commissioner Kusener** doesn't see the necessity for the proposed ATM because it duplicates the existing ATM across the street. He wants to see something that enhances the downtown, not duplicate what is already there. If it were approved, it would need to be less-intrusive.

**Ms. Deepak** stated that the proposed ATM has essentially the same functions, but the ATM at the existing bank, is heavily used and there is inadequate room to add another ATM. It would also be recessed from the sidewalk to provide an ADA landing area. The design is preliminary and they will work with the Planning Department on an acceptable design with appropriate finishes.

A motion by **Vice-Chair Coates** and seconded by **Commissioner Kusener** to adopt a resolution recommending that the City Council deny an amendment to the Downtown Commercial Zoning District allowing off-site automated teller machines was adopted unanimously.

A motion by **Commissioner Kusener** and seconded by **Vice-Chair Coates** to adopt a resolution denying a conditional use permit for an off-site walk-up free-standing ATM kiosk located at 1450 Lincoln Avenue carried unanimously.

The applicant was advised that the City will notify her of the City Council public hearing date when it is set.



September 5, 2013

Erik V. Lundquist  
Senior Planner  
City of Calistoga  
1232 Washington Street  
Calistoga, CA 94515

RECEIVED

SEP 6 2013

CITY OF CALISTOGA

**Re: Notice of Appeal for Conditional Use Permit to allow for ATM use in Downtown Calistoga.**

Mr. Lundquist

On behalf of Bank of America, we would like to request that The City of Calistoga's Planning Commission review our appeal of its decision to deny Bank of America the Conditional Use Permit allowing for ATM use in downtown Calistoga based on the following facts.

Preserving the historic character of the downtown district of Calistoga is important to Bank of America. Although Bank of America has a "standard" ATM kiosk it uses when installing an ATM in a non-historic district, Bank of America will use building material that will match the character of the buildings in the downtown district to preserve the historic architecture.

The proposed ATM would serve the residents of Calistoga by providing an ATM option on the southeast side of Lincoln Avenue. Further, the ATM would replace an existing pay phone. Technology has made pay phones all but obsolete. The ATM would allow for the City of Calistoga to modernize the services it provides to its residents with no "out of pocket" costs.

With regards to health, safety, and general welfare, All of Bank of America's new ATMs provide the user the option to not print a receipt or to have the receipt emailed to an email address, reducing the amount of debris commonly associated with ATMs. Bank of America's ATMs do not require the use of envelopes when making deposits. Further, the ATM can be equipped with a trash bin with a lid to ensure collection of printed receipts. The lighting of the ATM would be the same type of lighting used for the ATMs at the Bank of America branch across the street. All ATMs are equipped with security cameras which help to deter crime. The security camera would most likely capture cars on Lincoln Avenue, resulting in increased security for the downtown district.

It is for these reasons that we respectfully ask the Planning Commission accept our appeal and review our request, on behalf of Bank of America for a Conditional Use permit for the downtown Calistoga area.