

1 st Reading:	Publication:
2 nd Reading:	Effective:

**CITY OF LINO LAKES
ORDINANCE NO. 04-22**

**MARKETPLACE PDO AMENDMENT #3 FOR SITE AND BUILDING PLANS
FOR 601 APOLLO DRIVE RETAIL**

The City Council of Lino Lakes ordains:

Section 1: Finding of Fact

1. The City received a Land Use Application to amend the Marketplace Planned Development (PDO) Design Guidelines Ordinance No. 03-05.
2. Ordinance No. 03-05 regulates site plan and design guidelines for the Marketplace development and states under Special Provisions #4 that substantial departures from the approved plans will require an amendment to the Planned Development Overlay (PDO).
3. Per the Marketplace PDO Site Plan, the subject site is a future bank.
4. The applicant is proposing to construct a dental clinic, coffee shop, and ATM drive-thru that will require modifications to the site plan and building elevations.
5. The Planning and Zoning Board held a public hearing on September 14, 2022 and recommended approval the PDO Amendment #3 and the site and building plans.
6. Per City Zoning Ordinance Section 1007.015(5), the Planning and Zoning Board shall consider possible adverse effects of the proposed ordinance amendment. Its judgement shall be based upon, but not limited to, the following factors:

(a) The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.

The proposed retail development is consistent with the official City Comprehensive Plan.

(b) The proposed use is or will be compatible with present and future land uses of the area.

The proposed retail development is compatible with present and future land uses.

(c) The proposed use conforms with all performance standards contained herein.

The proposed retail development conforms with all performance standards with revisions

as noted in this resolution.

(d) The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

The proposed retail development can be accommodated with the existing public services and will not overburden the City's service capacity. The development will be municipally served by an 8" sanitary sewer main and an 8" watermain located along Market Place Drive.

(e) Traffic generation by the proposed use is within capabilities of streets serving the property.

Traffic generated by the proposed retail development is within capabilities of the streets serving the property. Goals of the Transportation Plan are to ensure that streets are as safe as possible and to reduce unnecessary traffic. CSAH 23 (Lake Drive) is an A-Minor Reliever road and has structural capacity to handle the traffic volume of the retail development.

Section 2: Amendment

Ordinance No. 03-05 of the City of Lino Lakes is hereby amended to include the following plans subject to the revisions detailed in Resolution No. 22-115:

- Site and Civil Plans prepared by Design Tree revision date September 21, 2022
- Architectural Plans prepared by Lampert Architects revised September 28, 2022
- Landscape Plans prepared by Plan-Type revision date September 29, 2022
- Photometric Plan prepared by Viking Electric dated July 28, 2022

Section 3: Legal Description

The subject site is legally described as Lot 2, Block 1, Lino Lakes Market Place 2nd Addition.

Section 4: Development Regulations

Development of the subject site shall be in substantial conformance with the plans noted under Section 2 above.

Section 5: Zoning Regulations

Any future changes in use on this lot (Lot 2, Block 1, Lino Lakes Market Place 2nd Addition) shall be consistent with the permitted uses, accessory uses, and conditional uses listed in the City's GB, General Business zoning district.

Section 6: Effect

This ordinance shall be in force and effect from and after its passage and publication according to the Lino Lakes City Charter. The other provisions of Ordinance No. 03-05 are still in effect.

Adopted by the Lino Lakes City Council this 24th day of October, 2022.

The motion for the adoption of the foregoing ordinance was introduced by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

Rob Rafferty, Mayor

ATTEST:

Julianne Bartell, City Clerk