REPORT / RECOMMENDATION

To: MAYOR AND COUNCIL

Agenda Item #: VIII.B.

From: Cary Teague, Community Development Director

Action ☒
Discussion ☐
Information ☐

Date: February 3, 2015

Subject: Findings Of Fact For Denial, Preliminary Rezoning and Preliminary Development Plan 7200 France Avenue, 7200 LLC, Resolution No. 2015-13.

Action Requested:
Adopt Resolution No. 2015-13, denying the Rezoning.

Information/Background:
(Deadline for City Action- February 3, 2015)
As requested by the City Council, staff has drafted a resolution for denial of the Rezoning Request.

Project Background.
The applicant, 7200 LLC is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west.

To accommodate the request, a rezoning to PUD, Planned Unit Development is requested.

ATTACHMENTS:
- Resolution No. 2014-13

RESOLUTION NO. 2015-13
RESOLUTION DENYING PRELIMINARY REZONING AND PRELIMINARY DEVELOPMENT PLAN FOR 7200 FRANCE AVENUE

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

1.01 7200 France LLC, is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
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1.02 To accommodate the request, the following land use applications are required:

- Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development; and
- Preliminary Development Plan.

1.03 The City Council considered a sketch plan for development of the site prior to formal application and did not require a small area plan.

1.04 On November 12, 2014, the Planning Commission recommended denial of the Comprehensive Plan Amendments. Vote: 8 Ayes, 0 Nays. The Planning Commission further recommended that a small area plan be done for the area.

1.05 On December 2, 2014, the City Council held a public hearing and authorized staff to prepare findings and conditions to approve the Comprehensive Plan. Vote: 4 Ayes, and 1 Nay. The City Council did not require a small area plan be done prior to the rezoning.

1.06 On December 16, the City Council asked staff to meet with Hennepin County staff in regard to securing the necessary access for the development off France Avenue.

1.07 Hennepin County staff has indicated that it would approve access to the development off of France Avenue under certain conditions. Those conditions have been including within this resolution.

1.08 On January 20, 2015, the City Council further considered the application and authorized staff to prepare findings for denial of the Preliminary Rezoning and Development Plan.

Section 2. FINDINGS

2.01 The City Council has denied the applicant's request to amend the Comprehensive Plan.

2.02 The proposed rezoning conflicts with the City's comprehensive plan for the following reasons:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site within the Comprehensive Plan.

2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed.

3. The proposed building height is 15 feet taller than allowed by the Comprehensive Plan.

4. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. The Comprehensive Plan describes this area as a "transitional area along major thoroughfares or between higher-intensity districts and residential districts." The proposed development seeks approval for more square footage than what is allowed in the POD-1 Zoning District.

5. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment.

2.03 The Development Plan conflicts with both the City's POD-1 zoning of the property for the following reasons:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site within the Zoning Ordinance.

2. The proposed building height is 15 feet and one story taller than allowed by the Zoning Ordinance.

3. The proposed building does not meet the required side yard, front and side street setback requirements.

2.04 The proposed development is at best pre-mature given the Planning Commission's plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.

Section 3. DENIAL

The City Council of the City of Edina, denies the proposed Rezoning and Development Plan.

ATTEST:_____ _____

Debra A. Mangen, City Clerk James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of February 3, 2015, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2015.

_____

City Clerk