



To: MAYOR AND COUNCIL

Agenda Item #: VIII.A

From: Cary Teague, Community Development Director

Action

Discussion

Date: March 3, 2015

Information

Subject: Findings Of Fact For Denial, Comprehensive Plan Amendments For Building Height, Density And Floor Area Ratio, 7200 France Avenue, 7200 LLC, Resolution No. 2015-12

Action Requested:

Adopt Resolution No. 2015-12, denying the Comprehensive Plan Amendments.

**Information/Background:
(Deadline for City Action- March 3, 2015)**

As requested by the City Council, staff has drafted a resolution for denial of the Comprehensive Plan Amendment.

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, three amendments to the Comprehensive Plan are required:

- Building Height – from 4 stories and 48 feet to 5 stories and 63 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

ATTACHMENTS:

- Resolution No. 2014-12
- Findings for Denial



RESOLUTION NO. 2015-12
RESOLUTION DENYING A COMPREHENSIVE PLAN AMENDMENT
FOR BUILDING HEIGHT, DENSITY AND FLOOR AREA RATIO
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:

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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 Amendment. 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.

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- 1.08 On January 20, 2015, the City Council further considered the application, expressed concerns regarding the intensity, size and scope of the proposed development, and authorized staff to prepare findings for denial of the Comprehensive Plan Amendment.
- 1.09 On February 3, 2015, the applicant extended the 60/120 day rule for 30 days to explore the ramifications of the watershed district requirements for stormwater ponding.

Section 2. FINDINGS

- 2.01 The Edina Comprehensive Plan was adopted in 2008. The Plan was the subject of countless public meetings, public input, and public hearings. The building height limitations, housing density, and floor area ratio in the Plan were designed to maintain the character of existing neighborhoods. The proposed comprehensive plan amendments would not only affect the subject property but all property in the City guided OR, office residential.
- 2.02 The Applicant's desire to construct a building that cannot be constructed without Comprehensive Plan amendments is not a sufficient reason to amend the Comprehensive Plan.
- 2.03 The Subject Property currently has reasonable uses and can be reasonably redeveloped without the Comprehensive Plan Amendment.
- 2.04 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.
- 2.05 The proposed density is nearly double that allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed.
- 2.06 The proposed building height is one story taller than allowed by the Comprehensive Plan.
- 2.07 The proposed plan amendment would establish significantly more intense development on the parcel and similarly designated parcels than that allowed under the current plan and is premature given the Planning Commission's plan to study the impact of greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.
- 2.08 There are several properties within the OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment. Approval of the application prior to completion of the Planning Commission's study would set a precedent for similar development requests at this density.

Section 3. DENIAL

The City Council of the City of Edina, denies the Comprehensive Plan Amendments.

ATTEST: _____
Debra A. Mangan, 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 March 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



COMPREHENSIVE PLAN AMENDMENT FINDINGS FOR 7200 FRANCE AVENUE

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