

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** VI.B.

**From:** Cary Teague, Community Development Director

**Action**

**Discussion**

**Information**

**Date:** December 3, 2013

**Subject:** PUBLIC HEARING – Preliminary & Final Plat, Spalon Montage, 3909 West 49 1/2 Street, Resolution No. 2013-116

**Action Requested:**

Adopt the attached resolution.

**Information / Background:**

Spalon Montage is requesting to divide their property at 4936 France Avenue and 3909 West 49-1/2 Street into two lots for the purpose of dividing the Split Fashion Avenue store from the Spalon Montage store. No new building is proposed at this time. The existing property and buildings would remain the same. The specific request is for a Preliminary and Final Plat to divide the property.

Planning Commission Recommendation: On November 13, 2013, the Planning Commission unanimously recommended approval of the Subdivision.

**ATTACHMENTS:**

- Resolution No. 2012-116
- Planning Commission Staff Report, November 13, 2013



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**RESOLUTION NO. 2013-116  
APPROVING A SUBDIVISION OF  
4936 FRANCE AVENUE & 3909 49-1/2 STREET**

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

Section 1. BACKGROUND.

- 1.01 Spalon Montage is requesting to divide their property at 4936 France Avenue & 3909 49-1/2 Street into two lots. No site improvements are planned at this time.
- 1.02 The following described tract of land is requested to be divided:  
  
See attached Exhibit A.
- 1.03 The owner of the described land desires to subdivide said tract in to the following described new and separate parcels (herein called "parcels") described as follows:  
  
See attached Exhibit A.
- 1.04 On November 13, 2013, the Planning Commission approved the proposal on a Vote of 7-0.

Section 2. FINDINGS

- 2.01 Approval is based on the following findings:
1. The lots are generally consistent with existing lots on the block.
  2. There are no immediate requests for changes in use of the property or existing buildings.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Subdivision to divide 4936 France Avenue and 3909 49-1/2 Street into two lots subject to the following condition:

1. Prior to filing of the approving resolution all building code requirements required by the building official shall be met.

Adopted this 3<sup>rd</sup> day of December, 2013.

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 December 3, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
City Clerk

# Exhibit A

## EXISTING PROPERTY DESCRIPTION

All of Lots 25, Lot 29 except the South 3 feet of said Lot 29, and the East 1 foot of the North 147 feet of Lot 30, Auditor's Subdivision No. 172, according to the recorded plat thereof, all located in the County of Hennepin, State of Minnesota.

## PARCEL A DESCRIPTION

That of Lot 25 which lies westerly of a line drawn from a point on the north line of said Lot 25 distant 57.11 feet west of the northeast corner thereof to a point on the south line of said Lot 25 distant 57.33 feet west of the southeast corner thereof; Lot 29 except the South 3 feet of said Lot 29; and the East 1 foot of the North 147 feet of Lot 30, all in Auditor's Subdivision No. 172, according to the recorded plat thereof, all located in the County of Hennepin, State of Minnesota.

## PARCEL B DESCRIPTION

That of Lot 25, Auditor's Subdivision No. 172, according to the recorded plat thereof, Hennepin County, Minnesota, which lies easterly of a line drawn from a point on the north line of said Lot 25 distant 57.11 feet west of the northeast corner thereof to a point on the south line of said Lot 25 distant 57.33 feet west of the southeast corner thereof.



## PLANNING COMMISSION STAFF REPORT

Originator <b>Cary Teague</b> <b>Community Development</b> <b>Director</b>	Meeting Date <b>November 13, 2013</b>	Agenda # <b>VII.E</b>
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### INFORMATION/BACKGROUND

#### Project Description

Spalon Montage is requesting to divide their property at 4936 France Avenue and 3909 West 49-1/2 Street into two lots for the purpose of dividing the Split Fashion Avenue store from the Spalon Montage store. No new building is proposed at this time. (See property location on pages A1–A3.)

The existing property and buildings would remain the same. (See pages A2–A3.) The specific request is for a Preliminary and Final Plat to divide the property.

### SUPPORTING INFORMATION

#### Surrounding Land Uses

- Northerly: Existing retail building; zoned PCD-2, Planned Commercial District and guided Neighborhood Commercial.
- Easterly: Retail space located in the City of Minneapolis.
- Southerly: Retail space on France Avenue; zoned PCD-2, Planned Commercial District and guided Neighborhood Commercial.
- Westerly: The 50<sup>th</sup> & France Municipal Parking ramp.

#### Existing Site Features

The subject property is 13,587 square feet in size and contains the Spalon Montage salon and Split Fashion Avenue store. (See pages A2–A3.)

#### Planning

Guide Plan designation: Neighborhood Commercial  
Zoning: PCD-2, Planned Commercial District -2

### **Utilities/Easements**

The city engineer has reviewed the proposed plat and found it to be acceptable. No additional easements or right-of-way would be needed.

### **Preliminary Plat**

There are no minimum lot size or dimension requirements in the PCD Zoning District. The proposed lots are generally consistent with lots on the block. The proposed subdivision simply establishes a lot line between the two stores. There would be no change to the existing uses or buildings on the site.

### **STAFF RECOMMENDATION**

Recommend that the City Council approve the Subdivision for Spalon Montage to divide their property at 4936 France Avenue back into two lots.

Approval is subject to the following findings:

1. The lots are generally consistent with existing lots on the block.
2. There are no immediate requests for changes in use of the property or existing buildings.

**Deadline for a city decision:    January 1, 2014**



**Parcel ID:** 18-028-24-14-0129

**Owner Name:** Frank Holdings Llc

**Parcel Address:** 4936 France Ave S  
Edina, MN 55410

**Property Type:** Commercial-Preferred

**Homestead:** Non-Homestead

**Parcel Area:** 0.36 acres  
15,523 sq ft

**A-T-B:** Abstract

**Sale Price:**

**Sale Date:**

**Sale Code:**

Map Scale: 1" ≈ 200 ft.  
Print Date: 10/30/2013

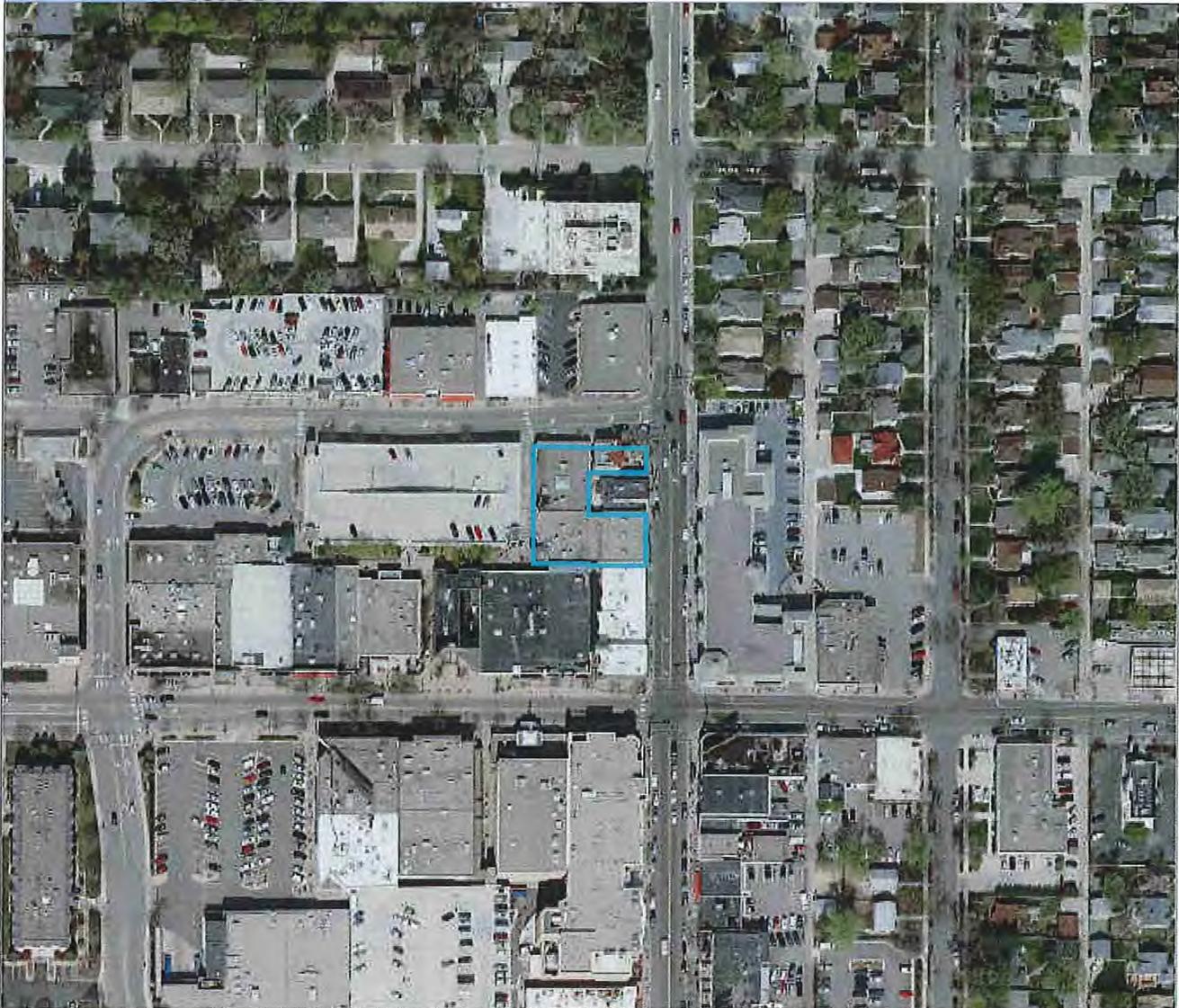


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A1



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**Sale Code:**

**Map Scale:** 1" ≈ 200 ft.

**Print Date:** 10/30/2013

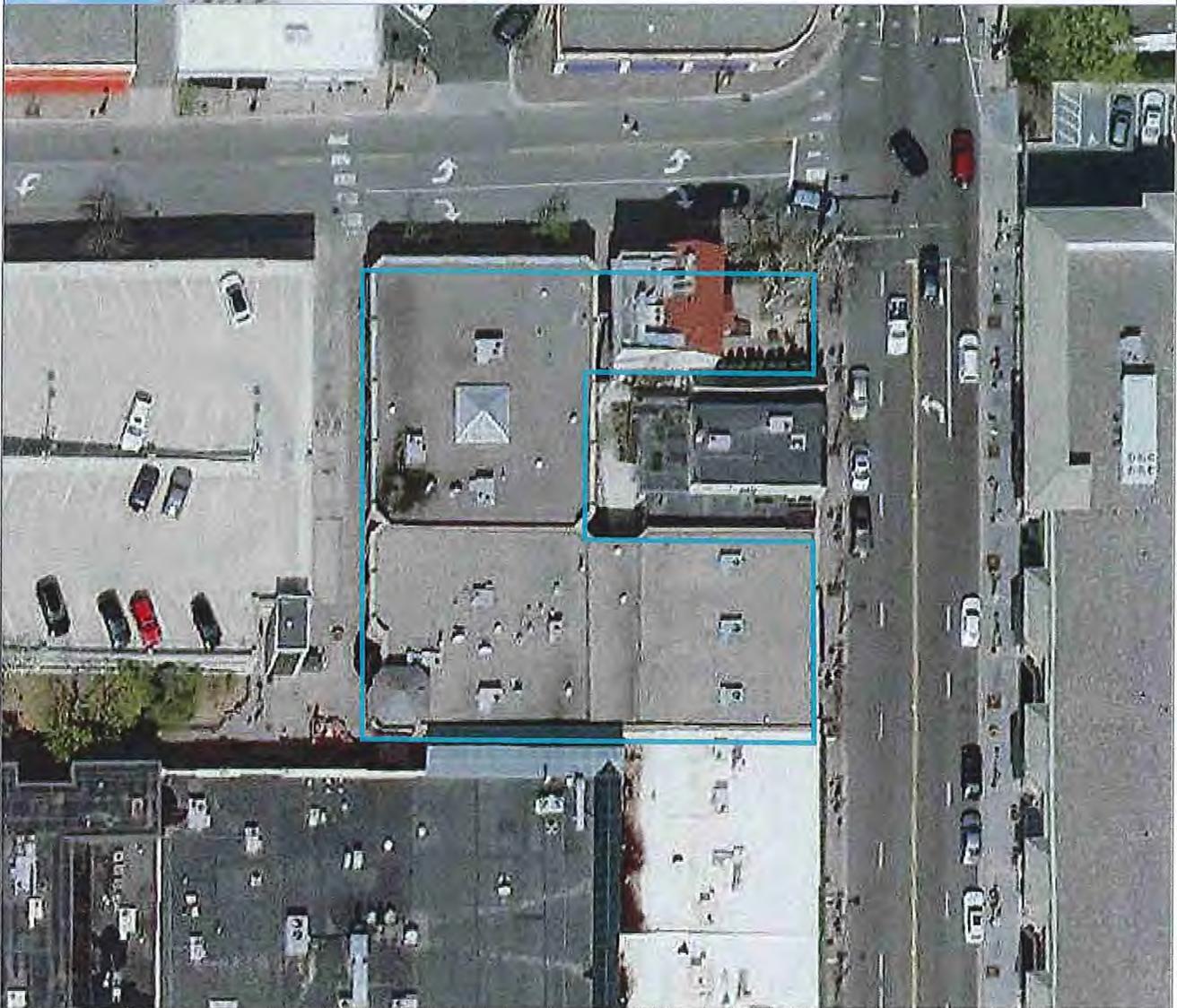


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A2



<p><b>Parcel ID:</b> 18-028-24-14-0129</p>	<p><b>A-T-B:</b> Abstract</p>	<p>Map Scale: 1" ≈ 50 ft. Print Date: 10/30/2013</p>
<p><b>Owner Name:</b> Frank Holdings Llc</p>		
<p><b>Parcel Address:</b> 4936 France Ave S Edina, MN 55410</p>		
<p><b>Property Type:</b> Commercial-Preferred</p>	<p><b>Sale Price:</b></p>	
<p><b>Homestead:</b> Non-Homestead</p>	<p><b>Sale Date:</b></p>	<p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p>
<p><b>Parcel Area:</b> 0.36 acres 15,523 sq ft</p>	<p><b>Sale Code:</b></p>	<p>COPYRIGHT © HENNEPIN COUNTY 2013 </p>

A3

LOT 23

LOT 22

# WEST 49 1/2 STREET

**EXISTING BUILDING**  
3909 WEST 49 1/2 STREET

**EXISTING BUILDING**

**EXISTING BUILDING**  
4930 FRANCE AVENUE SOUTH

**PARCEL A**  
(10,658 SQUARE FEET)

**PARCEL B**  
(3,433 SQUARE FEET)

**EXISTING BUILDING**  
4936 FRANCE AVENUE SOUTH

**EXISTING BUILDING**

135.00  
N89°54'38"W

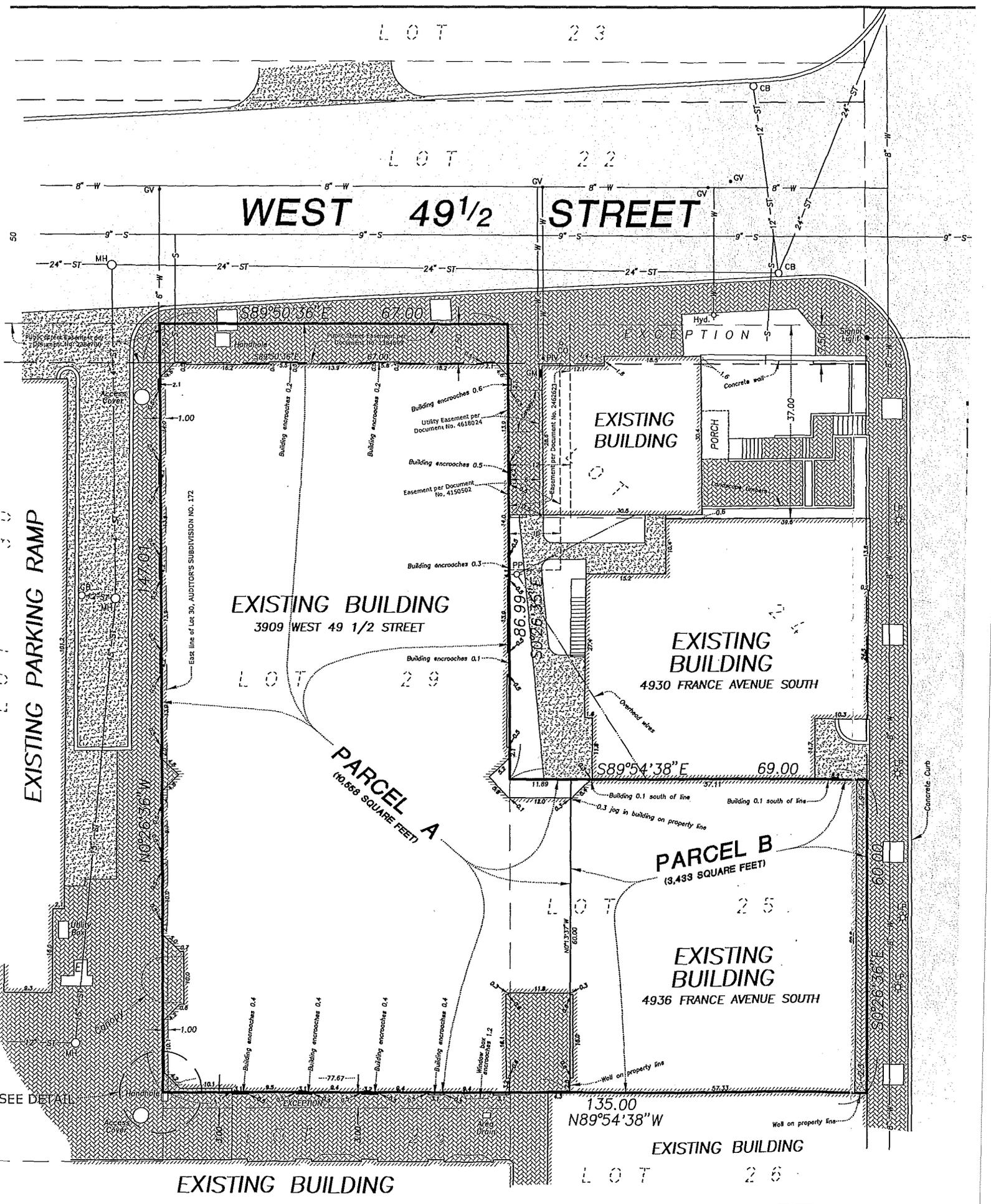
**EXISTING BUILDING**

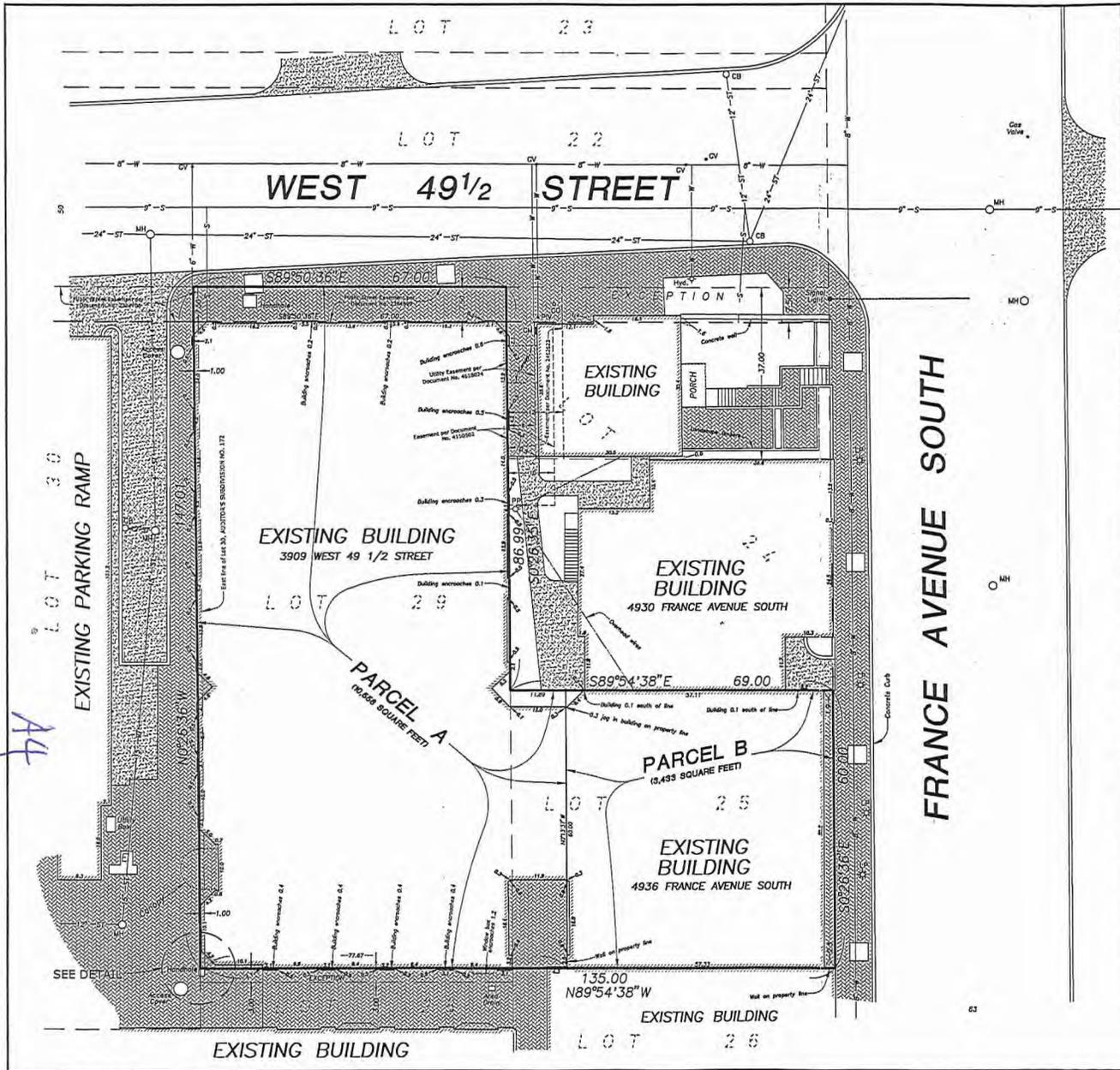
LOT 26

EXISTING PARKING RAMP

SEE DETAIL

A5

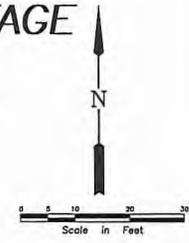




# Lot Division Survey for: SPALON MONTAGE

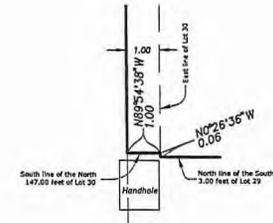
## NOTES

- \* Bearings shown are based on an assumed datum.
- \* Utilities shown are from information furnished by the City of Edina in response to Gopher State One Call Ticket Numbers 130720396 and 130720403 and are verified where possible.
- \* Contact Gopher State 1 for utility locations before any construction shall begin. Phone 651-454-8002.
- \* Areas: 13,991 square feet (0.32 acre) including street.  
13,488 square feet (0.31 acre) excluding street.
- \* Zoning: PCD-2 (Planned Commercial District - 2).
- \* This property is located in Flood Zone X (area outside .2% annual chance flood plane) per Flood Insurance Rate Map No. 27053CD362E dated September 2, 2004.
- \* Due to snow and ice conditions all improvements are not visible and therefore are not shown.



## LEGEND

- S— Sanitary Sewer
- ST— Storm Sewer
- W— Watermain
- Hyd-∅ Hydrant
- GV • Gate Valve
- PVI • Post Indicator Valve
- MH ○ Manhole
- CB ○ Catch Basin
- CS ○ Cleanout
- PP-○ Power Pole
- LP ○ Light Pole
- ⊠ Electrical Transformer
- ▨ Concrete Surface
- ▩ Bituminous Surface
- ▤ Brick Paver Surface



## DETAIL

## EXISTING PROPERTY DESCRIPTION

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I hereby certify that this survey was prepared by me or under my direction and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 14th day of March, 2013.

REHDER & ASSOCIATES, INC.

*Thomas J. Adani*  
Thomas J. Adani, Land Surveyor  
Minnesota License No. 45414  
Revised October 6, 2013  
Revised October 14, 2013



Rehder and Associates, Inc.

CIVIL ENGINEERS AND LAND SURVEYORS

3440 Federal Drive • Suite 110 • Edina, Minnesota • Phone (651) 452-0251

JOB: 134-2624.010