



August 20 2018

Beth Heimer
Old Republic National Title
400 2nd Avenue S
Minneapolis, MN 55401

Re: Property - 2401 E 86TH ST, 2300 E 86TH ST, 2411 E 86TH ST, BLOOMINGTON, MN 55425

PID#: 1202724120031,1202724120030,0102724340068, respectively

To Ms. Heimer:

In response to a request for certain land use information regarding the Property, please be advised of the following as of the date hereof:

- 1) Zoning and Comprehensive Land Use Plan Designation: 2401 and 2411 E. 86th Street are zoned (CO-1)(PD)(AR-17), Commercial Office 1.0 (Planned Development)(Airport Runway). 2300 E. 86th Street is zoned C-4(BP-2) Freeway Office(Bluff Protection). All properties are subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation for 2401 and 2411 is Innovation and Technology (IT). The designation for 2300 is Office.
- 2) Conformance with Current Zoning Requirements: The Property use for research and development and computer component manufacturing are conditional uses in the CO-1 district. A conditional use permit was approved in 1997 for the parking lot at 2300 E. 86th Street.

Considering materials and records on file, I cannot determine the level of City Code development performance standard compliance. To complete an in depth review, which includes a site visit and review of plans (if-provided) including but not limited to as-built surveys, any floor plans, use details, or other information is not included in this letter, that level of detail requires \$124 for the full analysis plus \$52 per hour for each hour over 2 hours. The building permit record retention schedule is 15 years and there are no building related plans on file.

In 1996, the City Council approved a parking lot and security ordinance which required full compliance with the City Code at a future date. If a parking lot and security lighting plan has not been approved since then, by December 31, 2018, the site will require upgrades to the parking lot and building entry's to comply with these minimum requirements.

Several Planning and Zoning reviews have occurred over the years. The following zoning approvals have been granted for the Property:

- August 6, 1984 – The Comprehensive Plan was amended from High Density Residential and Office to Employment Oriented Mixed Use for what was then 2401 East 86th Street (Case 8731A-84). The property was also rezoned from B-1(PD) to IN-1 by the City Council on August 6, 1984 (Cases 8731B-84).
- February 25, 1985 – The City Council approved a resolution extending the provisional zoning of IN-1 on 2401 East 86th Street for 120 days for the VTC Corporation (Case 8731B-84).
- April 1, 1985 – The City Council approved the Preliminary and Final Plat of River Ridge 2nd Addition with conditions (Case 8731A-85).
- November 25, 1985 – The City Council rezoned the property that is now 2300 East 86th Street from R-1 and R-4 to RO-50 (Case 9260A-85).
- March 30, 1992 – The City Council approved a rezoning of the property at what was then 2401 East 86th Street from IN-1 to CO-1 (Case 8731A-92).
- June 6, 1994 – The City Council approved a rezoning of the property at what was the 2401 East 86th Street and part of what was the 2400 Skyline Drive from C)-1 to CO-1 (PD) approved a Preliminary and Final Development Plan with conditions for the same properties (Case 8731A-94) and approved the Preliminary and Final Plat of Cypress Addition with conditions (Case 8731B-94). The City Council also approved a Certificate of Appropriateness with conditions to allow the previously approved development for a Prehistoric Site on what was then 2401 East 86th Street (Case 9731C-94).
- October 17, 1994 – the City Council approved a Certificate of Appropriateness to allow installation of an LPG tank on a Prehistoric Site for what was then 2401 East 86th Street (Case 8731D-94).
- On November 7, 1994 – The City Council approved the Preliminary and Final Plat of Cypress Addition was approved (Case 8731E-94).
- A Revised Final Development Plan for a canopy and acoustic wall was approved administratively (Case 8731A-95).
- September 14, A Revised Final Development Plan for minor site improvements was administratively approved on September 14, 1995 (Case 8731B-95). A Certificate of Appropriateness to allow the previously approved improvements for a Prehistoric Site was approved with conditions by the City Council on October 2, 1995 (Case 8731C-95).

- September 2, 1997 – The City Council took the following actions regarding the property that is now 2300 East 86th Street: 1) The Comprehensive Land Use Plan was amended from High Density with Office to Office (Case 10341A-97); 2) Adopted an ordinance rezoning the property from RO-50 to B-1 (Case 10341B-97); 3) Approved a Conditional Use Permit and Final Site Plans and Building Plans for a parking lot with conditions (Case 10341C-97); and 4) Approved the Preliminary and Final Plat of Cypress Administrative Addition with conditions (Case 10341D-97).
 - June 15, 1999 – Revised Final Site Plans and Building Plans for an addition for an emergency generator were administratively approved for 2401 East 86th Street (Case 8731A-99).
 - February 7, 2000 – The City Council approved a revised Final Development Plan for a building addition and related site improvements was approved with conditions by the City Council on February 7, 2000 (Case 8731C-99).
 - September 11, 2000 – Revised Final Site Plans and Building Plans for revisions to a parking lot at 2401 East 86th Street were administratively approved (Case 8731A-00).
 - March 20, 2001 – Revised Final Development Plan for expansion of the tank farm at 2401 East 86th Street was administratively approved with conditions on (Case 8731A-01).
- 3) Utilities serving the property: According to the City of Bloomington Public Works Division records, the property is served by water, sanitary sewer and storm sewer. All other utilities are provided by non-City providers. Please contact the appropriate provider for detailed information on other services to the property.
- 4) Right to Rebuild Following Casualty: The research and development, office, and computer component manufacturing in the COMMERCIAL OFFICE 1.0 (CO-1) Airport Runway (AR-17) Zoning Districts may continue following casualty, in accordance with the performance standards at the time it is rebuilt and in accordance with City Code Section 21.504, Non-conformity. If the property is non-conforming, which cannot be accurately determined without a full review of an as built survey and development details, and in the event of casualty, the Property could be rebuilt to the legally non-conforming development. Any changes would require compliance with the applicable codes at the time it is rebuilt.

City records show no open enforcement orders against the property at this time. This statement does not mean that the property is free of violations or is in full compliance with federal, state and local applicable codes.

- 5) No Further Approvals or Licenses Required: The current use by its present owners for research and development, office, and computer component manufacturing and parking may continue without necessity of any rezoning, special exceptions, use permit, variance or other approval. I am not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the Project or before the Project may continue to be used in the manner in which it is presently being used.
- 6) Compliance with Subdivision Regulations: The Project complies with, or is otherwise exempt from, applicable subdivision regulations.
- 7) No Application(s) Pending: No application for rezoning of the Project, or for a special or conditional use permit or variance in connection with the Property or Project, is now pending. No proceeding to challenge zoning or other governmental approval or use of the Project is pending, or to the best of my knowledge, overtly threatened.
- 8) Certificate of Occupancy: I am unable to locate a certificate of occupancy for the Project from our records. I have no reason to believe, given the case file history described above, that one was not properly issued, and the absence of a Certificate of Occupancy under such circumstances would not give rise to any enforcement action affecting the Project. It is not necessary for a new purchaser of the Property to obtain either a new Certificate of Occupancy or an amendment to the existing Certificate of Occupancy in order to own, use and occupy the Project in the manner which it is approved.
- 9) Violations Outstanding or Development Related Fees Paid: I am unaware of any violations or alleged violations applicable to any zoning, subdivision, building or similar ordinances or regulations applicable to the Project within the past three years, or any pending or contemplated enforcement proceedings against the Project. This statement does not mean that the property is free of violations or is in full compliance with federal, state and local applicable codes. All required fees have been paid in connection with the development and use of the Project, including any impact-related fees, have been paid, and no such fees which would have applicability to the Project are otherwise pending or known at this time.
- 10) Flood Zone Designation: The Property is not located in a Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City of Bloomington designates the Property as Zone X on Panel Number 2753C0476F dated November 3, 2016.

This information was researched by the person signing this letter on behalf of the City of Bloomington, on request, as a service. The undersigned certifies that the above information is believed to be accurate based on or relating to the information supplied in the request for this zoning verification and the information on file with the City of Bloomington. The City assumes no liability for errors or omissions. All information was obtained from public records which may be inspected during regular business hours.

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Please contact me at (952) 563-8921 or mcentinario@BloomingtonMN.gov for any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Centinario".

Mike Centinario, Planner
Community Development – Planning Division