



August 28, 2018

Commercial Partners Title, LLC
 ATTN: Michelle Zerfas
 200 S. Sixth Street, Suite 1300
 Minneapolis, MN 55402

Re: CP File # 39639DD#1
 Zoning letter – 7101 West 78th Street, PID# 17-116-21-22-0037 (Property)

Dear Ms. Zerfas:

In response to your request for zoning and land use verification and information for the Property, please be advised of the following as of the date hereof:

- 1) Zoning and Comprehensive Land Use Plan Designation:
 The property is zoned B-1(FH), Neighborhood Office (Flood Hazzard) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designations are Office and Conservation. The Zoning and Comprehensive Land Use Plan maps can be viewed at <https://www.bloomingtonmn.gov/plan/zoning-and-guide-plan-maps>.

The adjoining property use, zoning and Comprehensive Plan designations are:

Direction	Use	Zoning	Comprehensive Plan
North	Single Family Residential	B-1	Office
South	I-494 and vacant land	SC	Right-of-Way and Conservation
East	Vacant land	B-1 and B-1(FH)	Office and Conservation
West	Office	B-1 and B-1(FH)	Office and Conservation

- 2) Conformance with Current Zoning Requirements:
 The Property use as office use is a permitted use in the B-1 Zoning District. Several Planning and Zoning reviews have occurred over the years. The following zoning reviews were completed:

- February 27, 1989 – Preliminary and Final Plat of NORMAN PLAZA 5 approved by the City Council (Case #9645A-89) – see attached minutes.
- July 7, 1997 – Conditional Use Permit for placement of fill in a floodplain and Final Site and Building Plans for a 15,000 square-foot office building approved by the City Council (Case #9645AB-97) – see attached decision notice.

- August 4, 1997 – Preliminary and Final Plat of MOUNT ONE ADDITION approved by the City Council (Case #9645C-97) – see attached decision notice and plat.
- March 24, 1998 – Minor Revision to Final Site and Building Plans to revise the building floor plan and lower level parking, and revise the surface parking and circulation drive administratively approved by the Community Development Director (Case #9645A-98) – see attached decision notice.
- April 3, 2006 – Variances related to site and building signage approved by the City Council (Case #9645ABC-06) – see attached decision notice.
- May 24, 2018 – Minor Revision to Final Site and Building Plans for drive aisles modifications administratively approved by the Planning Manager (Case #PL2018-195) – see attached decision notice.
- June 25, 2018 – Preliminary and Final Plat of FRAUENSHUH 2ND ADDITION approved by the City Council (Case #PL2018-194) – see the attached decision notice. The subject plat has not yet been recorded as of the date of this letter.
- August 2, 2018 – Minor Revision to Final Site and Building Plans to construct a seven stall parking area administratively approved by the Planning Manager (Case #PL2018-241) – see attached decision notice.

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 \$128 for the full analysis plus \$55 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. Currently, the City Code required compliance by December 31, 2020. This site may require significant upgrades to the parking lot and building entry's to comply with these minimum requirements.

The applicable City Code (zoning) sections applicable include but not limited to:

- Section 19.38.02 – Flood Hazard (FH) Overlay Districts
- Section 19.51 – Refuse handling and storage
- Section 19.52 – Landscaping and screening
- Section 19.52.01 – Screening of roof mounted equipment
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.204.01 – Neighborhood Commercial (B-1) District
- Section 21.209 – Use Tables

- Section 21.301.01 – Development Intensity and Site Characteristics
- Section 21.301.02 – Structure Placement
- Section 21.301.03 – Structure Design
- Section 21.301.04 – Sidewalks
- Section 21.301.06 – Parking and Loading
- Section 21.301.07 – Exterior Lighting
- Section 21.301.10 – Height
- Section 21.501.01 – Final Site and Building Plans
- Section 21.504 – Nonconformity

NOTE: To review a City Code Section, type www.code.blm.mn/ followed by the City Code Section number.
(For example www.code.blm.mn/21.301.07 is lighting)

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 office use in the B-1 Zoning District 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 office purposes is permitted under the Zoning Ordinance 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 Property or before the Property may continue to be used in the manner in which it is presently being used.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations. On August 4, 1997, the Plat of MOUNT ONE ADDITION was approved and subsequently filed (Case #9645C-97). On June 25, 2018, the Plat of FRAUENSHUH 2ND ADDITION was approved (Case #PL2018-194), but has not yet been filed.

7) No Application(s) Pending:

No application for rezoning, for a special or conditional use permit or a variance in connection with the Property, is now pending. No proceeding to challenge zoning or other governmental approval or use of the Property 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 Property. I have no reason to believe, given the case file history described above, one was not properly issued. In the absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Property. It is not necessary for a new purchaser to obtain either a new Certificate of Occupancy or an amendment to the existing Certificate of Occupancy in order to continue use and occupancy of the Property which it is approved.

9) Violations Outstanding or Development Related Fees Paid:

I am unaware of any active or alleged violations to any zoning, subdivision, building or similar ordinances or regulations applicable to the Property within the past three years. There is no record of any pending or contemplated enforcement proceedings against the Property. There are 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. All required fees have been paid in connection with the development and use of the Property, including any impact-related fees, have been paid, and no such fees which would have applicability to the Property are otherwise pending or known at this time.

10) Flood Zone Designation:

The Property is located in a Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City of Bloomington designates the Property as Zone A and X on Panel Number 27053C0432F dated November 4, 2016.

This information was researched by the person signing this letter on behalf of the City of Bloomington as a service. The undersigned certifies 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.

Commercial Partners Title, LLC

August 28, 2018

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Please contact me at (952) 563-8925 or nmjohnson@BloomingtonMN.gov for any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Johnson', with a stylized, flowing script.

Nick Johnson, Planner
Community Development – Planning Division