



August 15, 2018

Alexis King
Planning and Zoning Resource
1300 South Meridian Avenue, Suite 400
Oklahoma City, OK 73108

Re: Property - 2131 LINDAU LN, BLOOMINGTON, MN 55425
PID# 0102724240013

Alexis King:

In response to a 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 CX-2(PD) Mixed Use(Planned Development) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is High Intensity Mixed Use. 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	Surface parking	CX-2(PD)	High Intensity Mixed Use
South	Hospitality and offices	C-4(PD)	Office
East	Hospitality	LX(PD)	Lindau Mixed Use
West	Highway 77	N/A	N/A

- 2) **Conformance with Current Zoning Requirements:**
The Property use as an office building is a permitted use in the CX-2 Zoning District. Several Planning and Zoning reviews specific to the subject property have occurred over the years. The following is a selection of the completed zoning reviews:

City Council Action: 08/05/13 – Approved the Final Development Plan for Mall of America Phase IC, hotel and retail expansion, located at 2101 Lindau Lane and 8000 and 7900 24th Avenue (Case 8235C-13).

- City Council Action: 02/24/14 – Approved a Final Development Plan for the Mall of America Phase IC office tower, located at 2101 Lindau Lane (Case 8235A-14).
- City Council Action: 01/26/15 – Approved the Mall of America Master Sign Plan (Case 8235G-14).
- City Council Action: 01/05/16 – Approved a major revision to the Preliminary Development Plan to expand the area included and modify the uses, design, and phasing for Phases I, II, and III of the Mall of America (Case 8235F-15).

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. Exterior lighting inspections have been conducted at the Property and is compliant with exterior lighting requirements.

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

- Section 19.38.01 – Planned Development (PD) 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 21.207.01 – Mixed Use (CX-2) 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 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.501.04 – Conditional Use Permit
- 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 CX-2(PD) 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, or is otherwise exempt from, applicable subdivision regulations. REGISTERED LAND SURVEY NO 1823 was approved and subsequently 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 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.

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 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 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.

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

Sincerely,



Mike Centinario, Planner
Community Development – Planning Division