



January 24, 2019

Opus Development Company, LLC
ATTN: Joe Mahoney
10350 Bren Road West
Minnetonka, MN 55343

Re: Property - 6701 West 78th Street, Bloomington, MN 55439, PID# 1711621210004

Mr. Mahoney:

In response to your request for zoning 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 C-4(PD)(FH), Freeway Office (Planned Development) (Flood Hazard) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Office. 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 and two-family residential	R-1 PRD-3 (Edina)	LDR MDR (Edina)
South	Interstate Highway 494	-	Right-of-Way
East	Office	C-4	Office
West	Office and Nine Mile Creek	C-4 C-4(FH)	Office and Conservation

2) Conformance with Current Zoning Requirements:

The Property is currently vacant. Development approval was recently granted (Case #PL2018-191) for a senior living, residential care, and daycare facility, uses that are allowed as conditional accessory and accessory uses respectively. Several Planning and Zoning reviews have occurred over the years. The following zoning reviews were completed:

- February 5, 1968 – Final Plat of Nine Mile West 2nd Addition approved by the City Council (Case #6588 – see attached minutes).
- June 2, 1969 – Conditional Use Permit (two-year term) for a tennis and swim club approved by the City Council (Case #7104A-69 – see attached minutes).
- December 22, 1969 – Final Site and Building Plans for a tennis and swim club approved by the City Council (Case #7104A-69 – see attached minutes).
- October 4, 1971 – Conditional Use Permit (two-year term) for a tennis and swim club w/retail sale of swim and tennis supplies approved by the City Council (Case #7104A-71 – see attached minutes).
- November 1, 1971 – Final Site and Building Plans for a tennis and swim club approved by the City Council (Case #7104A-69 – see attached minutes).
- June 5, 1972, Conditional Use Permit for seven additional tennis courts approved by the City Council (Case #7104B-72 – see attached minutes).
- November 26, 1984 – Final Site and Building Plans for a 76-stall parking deck above an existing surface parking lot approved by the City Council (Case #7104A-84).
- February 9, 1987 – Final Site and Building Plans for a day care addition approved by the City Council (Case #7104A-86 – see attached minutes).
- October 1, 1990 – Variance for a reduced front setback of 32 feet for an existing building approved by the City Council (Case #7104A-90 – see attached minutes).
- March 22, 2010 – Rezoning from FD-2 to C-4 approved by the City Council (Case #10002A-10 – see attached minutes).
- July 23, 2018 – Rezoning (from C-4(FH) to C-4(PD)(FH)), Conditional Use Permit, Preliminary and Final Development Plans for a four-story, 186-unit senior living and residential care facility with a 100-person day care approved by the City Council (Case #PL2018-191 – see attached letter).

The former health and tennis club was demolished in 2006. The site has been vacant since that time. As the site is currently vacant, a City Code development performance standard compliance review is unnecessary. The most recent development approval (Case #PL2018-191), subject to various conditions, included a full Code-review of the proposed senior living, residential care and daycare facility. Some applicable City Code sections are as follows:

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.38.02 – Flood Hazard (FH) Overlay Districts
- Section 19.52 – Landscaping and screening
- Section 19.63.01 – Exterior Materials
- Section 21.205.04 – Freeway Office (C-4) 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 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.302.02 – Residential Uses in Commercial Zones
- Section 21.302.06 – Institutional Use Standards
- Section 21.302.09 – Multiple Family Design and Performance Standards
- 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 public water (City of Edina), sanitary sewer (City of Edina) 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) No Further Approvals or Licenses Required:

The site is currently vacant, and no permits or licenses are necessary at this time. The Property may continue to be used in the manner in which it is presently being used.

5) Compliance with Subdivision Regulations:

The Property complies with subdivision regulations. On February 5, 1968, the Plat of NINE MILE WEST 2ND ADDITION was approved and subsequently filed (Case #6588).

6) 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.

7) 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.

8) 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 27053C0451F 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 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) 563-8925 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