



November 2, 2016

Mr. Jeffrey A. Haug
Great Southern Bank
7685 Zachary Lane
Maple Grove, MN 55369

Re: Property - 5601 W 78TH ST, BLOOMINGTON, MN 55439, PID# 1611621210005

Mr. Haug:

In response to a request from Denise Laynor, requesting 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: The property is zoned COMMERCIAL SERVICE 1.0 (CS-1) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Community Commercial.
- 2) Conformance with Current Zoning Requirements: The Property's primary use as a hotel is permitted use in the COMMERCIAL SERVICE 1.0 (CS-1) Zoning District.

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. Lighting improvements at and around the primary hotel entrance were completed in 2015, but those improvements did not extend to the rest of the parking lot and have not been inspected for compliance. By December 31, 2018, the property's exterior lighting is required to comply with City Code Section 21.301.07. A copy of Section 21.301.07 is attached with this letter.

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

- A Conditional Use Permit for a hotel and restaurant was approved with conditions by the City Council on December 18, 1972 (Case 7804A-72);
- The Preliminary and Final Plat of Cabana Club Inn Addition were approved with conditions by the City Council on January 22, 1973 (Case 7804B-72);
- Variance to reduce green strip from 20 feet approved by the City Council on February 5, 1973 (Case 7804C-73);
- Final Site Plans and Building Plans were approved with conditions by the City Council on April 16, 1973 (Case 7804A-72);

- January 21, 1974 the City Council deleted Condition of Approval #7 in Case 7804A-72 (Case 7804A-72);
 - Variance to reduce front yard setback for tanks, vaporizer, and mix station approved by the City Council on May 6, 1974 (Case 7804D-74);
 - Variance for less than required number of parking spaces approved by the City Council on November 8, 1976 (Case 7804F-76);
 - Revised Final Site Plans and Building Plans for an addition approved with conditions by the City Council on September 26, 1983 (Case 7804A-83);
 - Revised Final Site Plans and Building Plans for a porte-cochere addition approved administratively on August 1, 1990 (Case 7804C-90);
 - Revised Final Site Plans and Building Plans for a loading dock enclosure approved with conditions by the City Council on October 1, 1990 (Case 7804D-90);
 - Variance to allow more than 15 percent metal trim approved with conditions by the City Council on December 7, 1998 (Case 7804A-98); and
 - Revised Final Site and Building Plans for interior and exterior renovations at an existing hotel approved with conditions by the City Council on January 5, 2015 (Case 7804B-14).
- 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 hotel in the COMMERCIAL SERVICE 1.0 (CS-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.

The City has issued food, pool, and lodging licenses for this address. The Bloomington Environmental Health Division conducts routine inspections related to these licenses. Copies of the inspection reports, if needed, are available through Mark Stangenes at 952-563-8980.

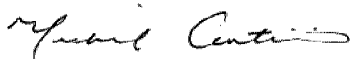
- 5) No Further Approvals or Licenses Required: The current use by its present owners for a hotel is permitted under the Zoning Ordinance without necessity of any rezoning, special exceptions, use permit, variance or other approval. I am not aware of any other permit or license required by this jurisdiction 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.

- 7) No Application(s) Pending: No application for rezoning of the Property, or for a special or conditional use permit or 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 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 Property. 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 Property in the manner which it is approved.
- 9) Violations Outstanding or Development Related Fees Paid: I am unaware of any outstanding violations or alleged violations applicable to any zoning, subdivision, building or similar ordinances or regulations applicable to the Property.\
- 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 2753C0451E dated September 2, 2004.

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.

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

Sincerely,



Mike Centinario, Planner
Community Development – Planning Division