



December 27, 2016

Dougherty Financial, LLC
Attn: Greg Bolin
90 South Seventh Street
Minneapolis, MN 55431

Re: Properties – 7900 and 8000 24th Avenue South, PIDs# 0102724210004 and 0102724240007, respectively

To Mr. Bolin:

In response to a request from Larkin Hoffman, requesting certain land use information regarding the 7900 and 8000 24th Avenue South, please be advised of the following as of the date hereof:

- 1) Zoning and Comprehensive Land Use Plan Designation: The properties are zoned CX-2 (PD)(AR-17) Mixed Use (Planned Development)(Airport Runway) and are subject to the applicable Bloomington performance standards established in City Code. Sections 21.301.01 and 21.301.02 of the City Code establish development intensity and bulk standards. The Comprehensive Plan Land Use Plan designation is High Intensity Mixed Use and Zoning performance standards reflect the intended intense development. Parking requirements are established in Section 21.301.06, although deviations (i.e., parking requirement reductions) from City Code have been approved for the Mall of America through the planned development review process.

Only a small area of the eastern portion of the properties are located within the Airport Runway Overlay Zoning District (AR-17). However, the entirety of the properties are located within MSP Airport Zoning Safety Zone C. Building height limits are established by the MSP Airport Zoning Ordinance. Maximum building elevations for the properties are between 870 to 991 feet above sea level.

- 2) Conformance with Current Zoning Requirements: The properties uses as parking and overflow parking are incorporated into the approved Mall of America Preliminary Development Plan. Several Planning and Zoning reviews have occurred over the years. The following approvals have been granted for the properties:

City Council Action: 10/21/86 – Approved Preliminary Development Plan for Mall of America and Fantasyworld (Case 8235A-86).

City Council Action: 10/19/06 – Approved revised Preliminary Development Plan for Phase II (Case 10730A-06).

- City Council Action: 05/06/13 – Approved Revised Preliminary Development Plan for Phase I and Phase II Mall of America at 7900, 8000 and 8100 24th Avenue, 2000 and 2100 Killebrew Drive, and 2001, 2101, and 2251 Lindau Lane (Case 10730B-13).
- 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: 12/17/15 – 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-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 parking and overflow parking uses 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 properties are 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 properties 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 properties are 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 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 properties may continue to be used in the manner in which it is presently being used.

Dougherty Funding, LLC

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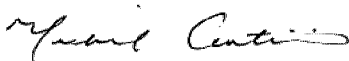
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- 6) Compliance with Subdivision Regulations: Parcel A, 8000 24th Avenue South complies with, or is otherwise exempt from, applicable subdivision regulations. However, Parcel B, 7900 24th Avenue South, is an Outlot and must be platted prior to, or as part of, a redevelopment proposal.
- 7) No Application(s) Pending: No application for rezoning of the properties, or for a special or conditional use permit or variance in connection with the properties, is now pending. No proceeding to challenge zoning or other governmental approval or use of the properties is pending, or to the best of my knowledge, overtly threatened.
- 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 properties within the past three years, or any pending or contemplated enforcement proceedings against the properties. This statement does not mean the properties are 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 properties have been paid and no such fees which would have applicability to the properties are otherwise pending or known at this time.
- 10) Flood Zone Designation: The properties are not located in the Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City of Bloomington designates the properties 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.

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

Sincerely,



Mike Centinario, Planner
Community Development – Planning Division