



August 23, 2020

Howard Zoning Associates, LLC
ATTN: Bonita Howard
19045 N Rockwell Avenue
Edmond, OK 73012

Re: 2401 E 86th Street (Property) - PID# 12-027-24-12-0032

To Bonita Knight:

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 IT(PD)(BP)(AR-17) - Innovation and Technology (Planned Development) (Bluff Protection) (Airport Runway) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Innovation and Technology. 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 and East	Conservation land	SC(BP)AR-17)	Conservation
South	Townhomes	R-1(PD)(BP)	Low Density Residential
West	Fire Station / Place of Assembly	R-1	Public and Quasi-Public

2) Conformance with Current Zoning Requirements:

The Property use as office, research and development and computer component manufacturing and associated uses is a permitted use in the IT Zoning District. The Planning and Zoning reviews on file include but are not limited to:

- August 6, 1984 – The Comprehensive Plan was amended from High Density Residential and Office to Employment Oriented Mixed Use for what was then 2401 East 86th Street (Case 8731A-84). The property was also rezoned from B-1(PD) to IN-1 by the City Council on August 6, 1984 (Cases 8731B-84).
- February 25, 1985 –City Council approved a resolution extending the provisional zoning of IN-1 on 2401 East 86th Street for 120 days for the VTC Corporation (Case 8731B-84).

PLANNING DIVISION

1800 W. OLD SHAKOPEE ROAD, BLOOMINGTON MN 55431-3027
PH 952-563-8920 FAX 952-563-8949 MN Relay 711

AN AFFIRMATIVE ACTION/EQUAL
OPPORTUNITIES EMPLOYER

- April 1, 1985 – The City Council approved the Preliminary and Final Plat of River Ridge 2nd Addition with conditions (Case 8731A-85).
- November 25, 1985 – The City Council rezoned the property that is now 2300 East 86th Street from R-1 and R-4 to RO-50 (Case 9260A-85).
- March 30, 1992 – The City Council approved a rezoning of the property at what was then 2401 East 86th Street from IN-1 to CO-1 (Case 8731A-92).
- June 6, 1994 – The City Council approved a rezoning of the property at what was the 2401 East 86th Street and part of what was the 2400 Skyline Drive from C)-1 to CO-1 (PD) approved a Preliminary and Final Development Plan with conditions for the same properties (Case 8731A-94) and approved the Preliminary and Final Plat of Cypress Addition with conditions (Case 8731B-94). The City Council also approved a Certificate of Appropriateness with conditions to allow the previously approved development for a Prehistoric Site on what was then 2401 East 86th Street (Case 9731C-94).
- October 17, 1994 – the City Council approved a Certificate of Appropriateness to allow installation of an LPG tank on a Prehistoric Site for what was then 2401 East 86th Street (Case 8731D-94).
- On November 7, 1994 – The City Council approved the Preliminary and Final Plat of Cypress Addition was approved (Case 8731E-94).
- A Revised Final Development Plan for a canopy and acoustic wall was approved administratively (Case 8731A-95).
- September 14, A Revised Final Development Plan for minor site improvements was administratively approved on September 14, 1995 (Case 8731B-95). A Certificate of Appropriateness to allow the previously approved improvements for a Prehistoric Site was approved with conditions by the City Council on October 2, 1995 (Case 8731C-95).
- September 2, 1997 – The City Council took the following actions regarding the property that is now 2300 East 86th Street: 1) The Comprehensive Land Use Plan was amended from High Density with Office to Office (Case 10341A-97); 2) Adopted an ordinance rezoning the property from RO-50 to B-1 (Case 10341B-97); 3) Approved a Conditional Use Permit and Final Site Plans and Building Plans for a parking lot with conditions (Case 10341C-97); and 4) Approved the Preliminary and Final Plat of Cypress Administrative Addition with conditions (Case 10341D-97).
- June 15, 1999 – Revised Final Site Plans and Building Plans for an addition for an emergency generator were administratively approved for 2401 East 86th Street (Case 8731A-99).
- February 7, 2000 – The City Council approved a revised Final Development Plan for a building addition and related site improvements was approved with conditions by the City Council on February 7, 2000 (Case 8731C-99).
- September 11, 2000 – Revised Final Site Plans and Building Plans for revisions to a parking lot at 2401 East 86th Street were administratively approved (Case 8731A-00).
- March 20, 2001 – Revised Final Development Plan for expansion of the tank farm at 2401 East 86th Street was administratively approved with conditions on (Case 8731A-01).

- September 9, 2019 – City Council approved a rezoning CO-1(PD)(BP)(AR-17) to IT(PD)(BP)(AR-17) and Major Revisions to preliminary and final development plans for an approximately 67,000 square foot addition and site changes. (Case PL201900127)
CASE LINK for all documents and plans:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/StatusReference?referenceNumber=PL201900127>.
- October 28, 2019 - City Council approved a Type I Preliminary and Final Plat for Skywater. (PL201900174)
CASE LINK for all documents and plans:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/StatusReference?referenceNumber=PL201900174>

As the property is under construction as part of a 67,000 square foot addition, once the addition is complete and the Certificate of Occupancy is issued, the property would be in compliance with all the associated requirements. All approved plans and review documents related to the property for the recent Planned Development approval are available online at <https://permits.bloomingtonmn.gov/ProdPortal/Planning/StatusReference?referenceNumber=PL201900127>.

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

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.38.03 – Airport Runway (AR-17) Overlay Districts
- Section 19.52 – Landscaping and screening
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.206.06 – Innovation and Technology (IT) District
- Section 21.208.02 – Bluff Protection (BP) Overlay 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 21.301.16 – Exterior Storage
- Section 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.504 – Nonconformity

NOTE: To review a City Code Section, type www.code.blm.mn/21 which takes you to the chapter and index where you can find the appropriate section.

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, research and development and computer component manufacturing and associated uses in the IT 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 office, research and development and computer component manufacturing and associated uses use by its present owners 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 the applicable subdivision regulations. On October 28, 2019, the City Council approved a Plat of CYPRESS SECOND ADDITION. The plat was subsequently filed. (Case PL201900174)

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 past improvements to the Property. I have no reason to believe, given the case file history described above, one was not properly issued for the original building and each addition. 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.

As the property is under construction as part of a 67,000 square foot addition, once the addition is complete the Certificate of Occupancy for that addition would be issued.

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 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) 563-8926 or lpease@bloomingtonmn.gov for questions.

Sincerely,



Senior Planner
Community Development – Planning Division