



December 15, 2020

Guaranty Commercial Title, Inc.
Connie Ferrian
465 Nicollet Mall, Suite 230
Minneapolis, MN 55401

Re: Property - 1701 American Blvd E, Bloomington, MN 55425
PID# 0202724110020

To Ms. Ferrian:

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 FD-1(AR-22), Freeway Development (Airport Runway) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan 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	Hotel	C-4(PD)(AR-22)	Community Commercial
South	2-family dwellings	R-4(AR-22)	Medium Density Residential
East	Office/Warehouse	FD-22(AR-22)	Office
West	Hotel	C-4(PD)(AR-22)	Office

2) Conformance with Current Zoning Requirements:

The Property use as an office/warehouse is a permitted use in the FD-2(AR-22) Zoning District. The Planning and Zoning reviews on file include but are not limited to:

- January 7, 1980 – City Council approved a variance allowing stucco as the primary exterior surface and allow a 15 foot setback along the residential use to the south subject to conditions. (Case 8440A -79).
- September 8, 1980 – City Council approved removing conditions and rescinding the requested variance for stucco as the primary material approved on January 7, 1980, per applicant's request. (Case 8440A-79)

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

- January 19, 1981 – City Council approved a variance to the exterior finish requirements for the truck docks. (Case 8810A-80)
- May 18, 1981 – City Council approved a variance approving a change to the freestanding sign setback requirements. (Case 8810A-81)
- December 2, 2002 – City Council approved a variance to reduce the required front yard setback from 20 feet to 10 feet from the planned widened ROW for a free-standing sign and to allow signs on four elevations. (Case 8810A-02 and 8810B-02)
- May 8, 2018 – City Council approved a variance to reduce the front yard setback from the planned widened right-of-way from 20 feet to 15 feet along American Boulevard. (Case PL201800113) **NOTE:** This parking was never constructed and the variance has expired.
- July 19, 2018 – The Planning manager administratively approved a Minor revision to Final Site and Building Plans for a 21-stall parking lot addition at 1701 and 1801 E. American Blvd. (Case # PL2018-221) **NOTE:** This parking was never constructed and the approval has expired.

The review information available for cases before 2016 are attached. The review and approval dates information starting 2016 can be retrieved online. Go to www.blm.mn/portal and search for address. The direct links to the information can be found at the bottom of the property record under the Planning Applications heading.

Considering materials and records on file, I cannot determine the level of City Code development performance standard compliance. To complete an in-depth performance standards review, plans, including but not limited to as-built surveys, any floor plans, use details, or other information must be provided. A performance standards review has a fee of \$131 plus \$56 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.

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

- Section 19.38.03 – Airport Runway Overlay Districts
- Section 19.52 – Landscaping and screening
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.206.05– Freeway Development (FD-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 21.301.16 – Exterior Storage
- Section 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.501.01 – Final Site and Building Plans
- 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. Non-City providers provide all other utilities. Please contact the appropriate provider for detailed information on other services to the Property.

4) Right to Rebuild Following Casualty:

The office/warehouse in the FD-2 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 has non-conforming performance standards, which cannot be accurately determined without a full review of an as-built survey and development details. In the event of a 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 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/warehouse use is permitted under the Zoning Ordinance without necessity of any rezoning, special exceptions, use permit, variance or other approval, provided compliance with the performance standards for the use. It is not an uncommon practice for these types of buildings to illegally convert warehouse space into office space in violation of the City Code. Without detailed information on the use or the property, I cannot determine if the property is in compliance. I am not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the Project or before the Project may continue to be used in the manner in which it is presently being used.

6) Compliance with Subdivision Regulations:

The Project complies with, or is otherwise exempt from, applicable subdivision regulations. On April 30, 1979, a Plat of Cedar Park Addition 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. The absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Property. A new purchaser does not need to obtain either an original Certificate of Occupancy or an amendment to the existing Certificate of Occupancy to continue use the Property as originally approved.

9) Violations Outstanding or Development Related Fees Paid:

I am unaware of any active or alleged violations of 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 Property's development and use, including any impact-related fees, have been paid. No such fees applicable 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 and 2753C0475F 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 that the above information is 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) 563-8919 or eoday@BloomingtonMN.gov for any questions.

Sincerely,



Elizabeth O'Day, Planning Technician
Community Development – Planning Division