



September 27, 2021

Commercial Partners Title, LLC
 ATTN: Julie Young
 200 South Sixth Street, Suite 1300
 Minneapolis, MN 55402

Re: 1601 Southtown Drive and 1700 American Boulevard West
 PIN #0402724210002 and #0402724210003 (Properties)
 CP File No: 58969 – Zoning letter

To Julie Young:

In response to your zoning verification request for Property information, please be advised of the following as of the date hereof:

1) Zoning and Comprehensive Land Use Plan Designation:

The Properties are zoned C-4 Freeway Office and are subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Regional Commercial. The Zoning and Comprehensive Land Use Plan maps can be viewed at <https://www.bloomingtonmn.gov/plan/zoning-guide-plan-maps>.

The adjoining property use, zoning and Comprehensive Plan designations are:

Direction	Use	Zoning	Comprehensive Plan
North	Restaurant and I-494	C-4(PD)	Regional Commercial
South	Auto Dealer	C-5(PD) and C-4	Regional Commercial
East	I-35W and Auto Dealer	CR-1(PD)	Right of Way and Regional Commercial
West	Vacant building	C-4(PD)	Regional Commercial

2) Conformance with Current Zoning Requirements:

The Properties use as a motor vehicle sales facility in existence prior to January 26, 2015 is permitted use in the Freeway Office (C-4) Zoning District. The Planning and Zoning reviews on file include but are not limited to:

- March 15, 1965 – The City Council approved Ordinance #65-11, rezoning the subject properties from Freeway Development FD-2 to General Business B-3 (Case #5040A-65).
- April 5, 1965 – The City Council approved a Conditional Use Permit and Final Site Plans for an open auto sales lot with conditions (Case #5040B-65).

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

- July 11, 1966 – Variance Board approval of a Variance to build a retail sales building for a new and used auto dealership on land not described by lot of a block of a plat (Case #5040A-66).
- October 4, 1971 – The City Council approved the Preliminary and Final Plat of Harold's Addition with conditions (Case #5440D-71).
- September 7, 1976 – The City Council approved a Variance to allow a third freestanding sign to be placed on West 80th Street (Case #5040E-76).
- December 9, 1985 – The City Council adopted a resolution amending the Comprehensive Plan to show Mixed Use for the land use designation for the subject properties (Case #9243A-85 – see attached memo).
- December 9, 1985 – The City Council adopted #Ordinance 85-59 that rezoned the subject properties from General Commercial B-3 to Regional Commercial CR-1 (Case #9243B-85 – see attached memo).
- October 14, 1994 – Administrative approval of revised Final Site Plans and Building Plans for a fascia addition and light bar (Case #8972A-94 – see attached decision notice).
- September 12, 1995 – Administrative approval of revised Final Site Plans and Building Plans for a parking and display area for an existing auto dealership (Case 8972A-95 – see attached decision notice).
- November 3, 1997 – Administrative approval of revised Final Site Plans and Building Plans to allow co-location of PCS antennas on an existing NSP power line support structure were Administratively approved with conditions (Case #8972B-97 – see attached decision notice).
- July 30, 2012 – Administrative approval of revised Final Site and Building Plans for exterior modifications and site alterations, subject to conditions (Case #8972B-12 – see attached decision notice).
- September 28, 2012 – Administrative approval for repositioning of the previously approved two overhead service entry doors and a personnel door on the east elevation and three accessible parking spaces at the east building entry (Case #8972D-12 -see attached decision notice).
- October 10, 2012 – Administrative approval of Final Site and Building Plans for resurfacing the remaining existing brick exterior finish material of the building with Portland Cement Stucco (Case #8972E-12 – see attached decision notice).
- January 26, 2015 – City Council adopted Ordinance #2015-4, rezoning the Properties from Regional Commercial CR-1 to Freeway Office C-4 (Case #10940G-14 – see attached decision notice).

- September 28, 2015 – City Council approval of a Major Revision to Final Site and Building Plans for a 1,785 square foot auto detailing/photo booth addition and demolition of a 911 square foot building (Case #8972A-15 – see attached decision notice).

Considering materials and records on file, determining the level of City Code development performance standard compliance is unknown. 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 base 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 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- 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 21.301.15 – Landscaping and screening
- Section 21.301.16 – Exterior Storage
- Section 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.302.01 – Motor Vehicle Sales
- Section 21.501.01 – Final Site and Building Plans
- Section 21.504 – Nonconformity

NOTE: To access the City Code, go to www.code.blm.mn and use the index on the left to navigate to the desired 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. Non-City providers provide all other utilities. Please contact the appropriate provider for detailed information on other services to the Property. Documents show there was a 25 foot deep monitoring supply well on-site. It is identified as well #613151 and sealed on October 5, 2000 by Thein Well Company.

4) Right to Rebuild Following Casualty:

The motor vehicle sales facility in existence prior to January 26, 2015 in the Freeway Office (C-4) Zoning District may continue following casualty, if complying with City Code Section

21.504, Non-conformity and the applicable performance standards. Without a full performance standards review, it is unknown without a full review of an as-built survey and related development details. Rebuilding the Property to the legally non-conforming development level is allowed provided a permit is issued within 365 days of the casualty date. Any changes would require compliance with the applicable codes at the time it is rebuilt.

City records show no open enforcement orders against the Properties 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.

The City has issued Business and Fire Prevention licenses for this address. The Bloomington Licensing and Fire Prevention Divisions conduct routine inspections related to these licenses. Copies of the inspection reports, if needed, are available through the Licensing and Fire Prevention Divisions at 952-563-8728 and 952-563-8933 respectively.

5) No Further Approvals or Licenses Required:

The current use by its present owners for motor vehicle sales purposes is permitted under the Zoning Ordinance without any rezoning, special exceptions, use permit, variance or other approval. I am not aware of any other permit or license required by this jurisdiction a purchaser must obtain before it may acquire the Properties or before the Properties are continued to be used in the manner in which it is presently being used.

6) Compliance with Subdivision Regulations:

The Property complies with subdivision regulations. On October 4, 1971, the Plat of HAROLDS ADDITION was approved and subsequently filed (Case #5440D-71)

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 using the Property as originally approved.

9) Open Permits, Known Violations or Fees Due:

I am unaware of any active or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the Properties within the past three years. There is no record of any pending or contemplated enforcement proceedings against the Properties.

However, this statement does not mean the Property is free of violations or is in full compliance with federal, state and local applicable codes as no performance standard review has been completed. 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 the 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 27053C0456F dated November 4, 2016.

This information was researched on behalf of the City of Bloomington staff as a service. The undersigned certifies 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) 563-8925 or nmjohnson@BloomingtonMN.gov for any questions.

Sincerely,



Nick Johnson, Planner
Community Development – Planning Division