



July 20, 2015

The Planning and Zoning Resource Corporation
Attn: Donovan Roberts
100 NE 5th Street
Oklahoma City, OK 73104

RE: 8001 East Bloomington Freeway (Project) and PID 04 027 24 13 0052 (Property)
PZR Reference Number 86331-1

Dear Mr. Roberts:

In response to a letter from you dated July 15, 2015 requesting certain land use information regarding the Property and the Project, please be advised of the following as of the date hereof:

- 1) Current Zoning and Comprehensive Land Use Plan Designation: The Land on which the Project is constructed is zoned I-3 (Industrial) and R-1 (Single Family Residential) and is subject to the use restrictions generally applicable which are contained in the Zoning Ordinance. The Property is designated Industrial on the Bloomington Comprehensive Plan Land Use Plan.

The adjoining property use and Zoning are:

- West – Auto Dealerships Zoned C-4
 - North – Auto Body Repair Zoned I-3
 - East – Office/Warehouse Zoned I-3
 - South – Single Family residential Zoned R-1 and Office Zoned B-1
- 2) Conformance with Current Zoning Requirements: The use of the property as an Office/Assembly/Warehouse use is a permitted use in the I-3 (Industrial) Zoning District. The building was constructed when the property was developed in 1960. The original building and two additions were constructed with valid permits and all inspections have been completed and approved. The following information is obtained from the records on File

The lot is 338,600 square feet and is occupied by a 121,494 square foot building (See Figure #1). The following planning and zoning approvals for the Property include:

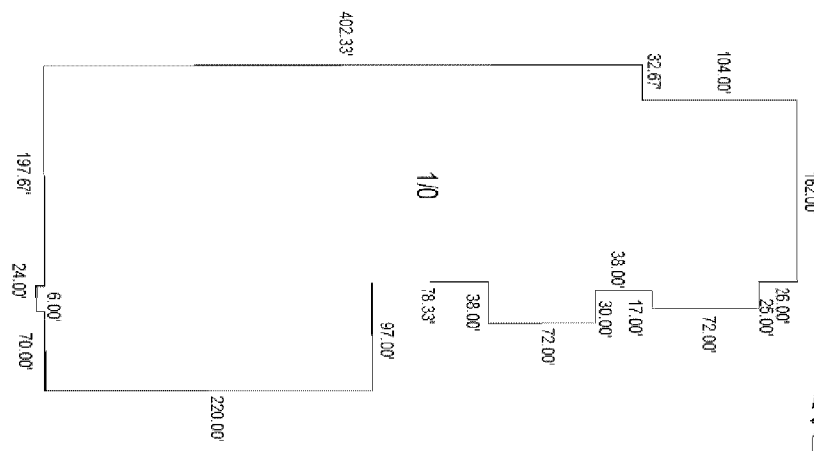
- The original building (approximately 100,000 square feet on the west side of the property) was constructed in 1963. A variance was granted to construct the building on a parcel not described by a lot/block description. (Case 4425A-63) (Platting of the Property was approved in 1985. The variance is no longer required or applicable.)

- A second addition of approximately 20,000 square feet was added in 1967. This was on the east side of the original building. (Case 4125A-67)
- The City Council approved a preliminary and Final Plat of Control Data addition on January 17, 1983. (Case 6291A-82) NOTE: Plat was not filed and approval expired.
- The City Council approved a preliminary and Final Plat of Control Data addition on August 19, 1985. (Case 6291A-85)
- The City Council approved a variance for a third addition on January 16, 2001. This was an entry vestibule on the south side of the original building. A variance reduced the required setback from 35 feet to 25 feet for the entry. The Planning Commission agenda packet is attached.
- The City Council adopted variances to reduce the required setback along the west property line for a parking lot expansion on August 19, 2013. (Case 6291AB-13) The Planning Commission agenda packet is attached.

Considering materials available from the records on file, compliance with the performance standards in the existing Zoning Ordinance cannot be determined. That level of review is not included in the basic zoning verification letter. The more extensive review includes a site visit and review of as-built surveys (if provided), any floor plans and use details, and other information is not included in this letter. If you require retrieving and reviewing any files from the warehouse or additional documents, that review requires \$122 plus \$52 per hour for each hour over 2 hours.

In 1996, the City Council approved a parking lot and security ordinance which required full compliance with the City Code at a future date. Therefore, by December 31, 2018, the east parking lot will require upgrades to comply with these minimum requirements. The west parking lot was reconstructed in compliance with the City Code in 2013.

FIGURE 1: Building dimensions on file for 8001 East Bloomington Freeway



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

- Section 19.33 – Industrial Districts
 - Section 19.41(C) – Nonresidential Development
 - Section 19.51 – Refuse handling and storage
 - Section 19.52 – Landscaping and screening
 - Section 19.52.01 – Screening of roof mounted equipment
 - Section 19.63.01 – Exterior Materials
 - Section 19.113 – Signs
 - Section 21.301.04 – Sidewalks
 - Section 21.301.06 – Parking and Loading
 - Section 21.301.07 – Exterior Lighting
 - Section 21.301.10 – Height
 - Section 21.501.01 – Final Site and Building Plans
- 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 service to the property.
- 4) Right to Rebuild Following Casualty: In the event of casualty, the Project may be rebuilt substantially in its current form (i.e., no loss of square footage, same building footprint). The performance standards required for the use may continue following destruction in accordance with City Code Section 21.504, Non-Conformity.
- 5) No Further Approvals or Licenses Required: The current use of the Project by its present owners for purposes is a permitted use 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 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: On August 19, 1985, the City Council approved the Preliminary and Final Plat of Control Data Addition. The Plat was subsequently filed. The Project complies with the applicable subdivision regulations.
- 7) No Application(s) Pending: The Property is not subject of an application for rezoning, for a special/conditional use permit or variance in connection with the Property or Project is now pending. No proceeding to challenge zoning or other governmental approval or use of the Project 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 Project from our records. I have no reason to believe, however, 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 Project. 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 Project in the manner that it is approved.

- 9) Violations Outstanding or Development Related Fees Paid: I am not aware of any outstanding violations, fees, or alleged violations applicable to any zoning, subdivision, building or similar ordinances or regulations applicable to the Property within the past three years, or 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.
- 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 (other area) on Panel Number 27053C0456E dated September 02, 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 that may be inspected during regular business hours.

Please contact me at (952) 563-8926 for any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Londell Pease", with a long horizontal flourish extending to the right.

Londell Pease, Senior Planner
Community Development Division

(PLEASE COPY ONTO YOUR LETTERHEAD)

The Planning & Zoning Resource Company
100 NE 5th Street
Oklahoma City, OK 73104

07/15/2015

ATTN: Donovan Roberts

Ref. No. 86331-1

RE: Kingsway GN ReSound Group, 8001 East Bloomington Freeway, Bloomington, Minnesota

Add'l Info.

The current zoning classification for the subject property is:

I-3

Adjacent property zoning designations:

North: I-3
South: B-1 / R-1
East: C-4
West: F-3

Is the subject property part of an Overlay District?

☐ Yes, within an Overlay District
☒ No, not within an Overlay District

Comment: _____

The subject property is currently regulated by:

Section _____ of the Zoning Ordinance see Letter
Planned Unit Development Ordinance No. _____ (copy attached)
Site Plan Approval Case No. _____ (copy of plan and case attached)

Comment: _____

According to the zoning ordinances and regulations for this district, the use of the subject property is a:

- ☒ Permitted Use by Right — SUBJECT TO PERFORMANCE S&DS
- ☐ Permitted Use by Special/Specific Use Permit
- ☐ Copy Attached
- ☐ Copy Not Available (see comment)
- ☐ Legal Non-Conforming Use (no longer permitted by right due to amendments, re-zoning, variance granted or other changes. See comments)
- ☐ Non-Permitted Use

Comment: _____

The subject structure(s) was developed:

- ☒ In accordance with Current Zoning Code Requirements and is Legal Conforming
- ☒ Non-Conforming (see comments) — originally built in accordance with old.
- ☐ In accordance with Previous Zoning Code Requirements (amendments, rezoning, variance granted) and is Legal Non-Conforming to current zoning requirements
- ☐ Prior to the adoption of the Zoning Code and is Grandfathered/Legal Non-conforming to current zoning requirements.
- ☐ In accordance with Approved Site Plan and is Legal Conforming to approved site plan. If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.

Comment: _____

Information regarding variances, special permits/exceptions, ordinances or conditions:

☐ There do not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the subject property.

☐ The following apply to the subject property (see comments):

- ☒ Variance - Documentation attached or is otherwise, no longer available (see comment)
- ☐ Special Permit/Exception Documentation attached or is otherwise, no longer available (see comment)
- ☐ Ordinance Documentation attached or is otherwise, no longer available (see comment)
- ☐ Conditions Documentation attached or is otherwise, no longer available (see comment)

Comment: _____

Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:

- ☒ May be rebuilt in the current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable.
- ☐ May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations, or requirements. Please see section _____ of the current zoning code/ordinance for details.

Comment: _____

To the best of your knowledge, do your records show any unresolved zoning code violations?

- ☐ Yes, there are open violations on file in our records. (See attached list and/or copies/cases)
- ☒ No, there are no open violations on file in our records.

*Please note, this request is for open violations of which you are aware. PZR is not requesting an inspection be made.

Site Plan Information:

- ☐ The subject property was not subject to a site plan approval process.
- ☐ The subject property was subject to site plan approval: a copy of the approved site plan is attached.
- ☐ The subject property was subject to site plan approval, but a copy of the approved site plan is no longer in existence (was lost or destroyed). All other existing documents applicable to site plan approval for the site are attached if available.
- ☒ An approved site plan for the subject property is on file, but our office does not have the necessary resources to reproduce and distribute copies of the plan. All other existing documents applicable to site plan approval are attached if available.

Other, (as noted here): _____

Please call the undersigned at 952 563 8926 extension _____ if you have questions or concerns.

Sincerely:

Name: Lordell Pearce
Title: Senior planner

Department: Community Dev
Email: Lpearce@Bloomingtonmn.gov