



February 12, 2023

First American Title
ATTN: Angelica Stoffel
121 South 8th Street, Suite 1250
Minneapolis, MN 55402

Re: Basic Zoning letter for 5501 American Boulevard W (Property) PID# 16-116-21-24-0008
First American Title File No. NCS-983673A-MPLS

To Angelica Stoffel:

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 Property is zoned RM-50(PD) High-Density Residential (Planned Development) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is High-Density Residential. 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	Apartments	C-4(PD)	Office
South	Office	C-4(PD)	Office
East	Hotels	C-4(PD)	Office
West	Apartments	RM-50(PD)	High-Density Residential

2) Conformance with Current Zoning Requirements:

The Property use as a residential care facility is conditionally permitted in the RM-50 Zoning District. Recent Planning and Zoning reviews on file include but are not limited to the following:

- November 5, 2018 – City Council authorized the distribution of an Environmental Assessment Worksheet (EAW) for a two-phase assisted and independent senior residential development at 5501 and 5601 American Blvd West (PL201800336). All reports and related items are available online at:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=1826>

- February 4, 2019 – City Council approved a Comprehensive Plan Map Amendment to reguide 5501 and 5601 American Boulevard West from Office to High-Density Residential; Rezone from C-4 to RM-50; Major Revision to the Preliminary Development Plan for a two-phase senior assisted living and senior independent living development; Major Revision to the Final Development Plans for a four-story, 108-unit senior assisted living facility; and a Conditional Use Permit for a 108-unit residential care facility at 5501 American Boulevard West (PL201800394). All documents, reports and related items are available online at:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=1871>
- September 23, 2019 – City Council approved Major Revision to Final Development Plans to increase the number of units from 108 to 118 within the proposed Cherrywood Pointe Senior Housing Development and a Conditional Use Permit for a 118-Unit Residential Care Facility located at 5501 and 5601 American Boulevard West (PL201900139). Documents, plans, and all review documents are available at:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=2025>
- November 23, 2020 – City Council approved a major revision to final development plans and a conditional use permit for an accessory restaurant within an approved residential development (PL202000184). Plans and all review documents are available at:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=2311>

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 base fee of \$139 plus \$59.75 per hour for each hour over 2 hours. The building permit record retention schedule is 15 years, and no building-related plans are on file.

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

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.57.01 – Steep Slopes
- Section 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- Section 21.203.08 – Multiple-Family (R-50) 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 21.301.05 – Drive Through Facilities
- 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 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof-Mounted Equipment

- Section 21.302.09 – Multiple-Family Design and Performance Standards
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.501.04 – Conditional Use Permit
- Section 21.504 – Nonconformity

NOTE: Access the City Code at www.code.blm.mn and use the index on the left to navigate.

3) Utilities serving the Property:

According to the City of Bloomington (City) 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 residential care facility in the RM-50 Zoning District may continue following casualty if complying with City Code Section 21.504, Non-conformity, and the applicable performance standards. City records show no open enforcement orders against the Property at this time. However, this statement does not mean the Property is free of violations or fully complies with federal, state, and local applicable codes.

The City has issued rental and food licenses for this address. The Bloomington Environmental Health Division conducts routine inspections related to these licenses. If needed, copies of the inspection reports are available through Mark Stangenes at 952-563-8980.

5) No Further Approvals or Licenses Required:

The current use by its owners for residential care facility 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 that a purchaser must obtain before acquiring the Property or before the Property may continue to be used in the manner it is presently being used.

6) No Application(s) Pending:

No application for rezoning, special or conditional use permit, or variance in connection with the Property is pending. Further, to the best of my knowledge, no proceeding challenging zoning or other governmental approval or Property use is pending or overtly threatened.

7) Certificate of Occupancy:

I have attached the Certificate of Occupancy for the Property. This was issued, although a minor issue with landscaping and a parking island must be corrected. The City has a surety and plans on file to resolve the issue, which is planned for the spring of 2023. Once completed, the property would have no open issues regarding the Certificate of Occupancy.

8) Compliance with Subdivision Regulations:

The Property complies with the applicable subdivision regulations with a Plat of JOSTENS ADDITION approved and filed.

9) Open Permits, Known Violations, or Fees Due:

As mentioned in section 8, a landscape issue and parking lot island require modifications. I am unaware of any other active or alleged violations of any zoning, subdivision, building, or similar ordinances or regulations applicable to the Property

A review finds that the following building permits remain open with unresolved inspections:

- PREL202003981 – Electrical permit to install a new building fire alarm system was issued to Chamberland Fire & Security Inc. on May 6, 2020. No inspections were requested or completed, and the permit has expired.
- PRMH202011716 – Mechanical permit to install a custom-supplied walk-in cooler and freezer was issued to Quality Refrigeration on October 1, 2020. While a rough-in inspection was requested and passed, no final inspection was requested to be completed and the permit has expired.

However, this statement does not mean the Property is free of violations or fully complies 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.

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 designates the Property as Zone X on Panel Number 2753C0451F dated November 4, 2016.

This information was researched by City staff as a service. The undersigned certifies that the above information is accurate based on the information supplied for this zoning verification and the information on file with the City. However, the City assumes no liability for errors or omissions. All data was obtained from public records, which may be inspected during regular business hours.

Please contact me with questions at (952) 563-8926 or lpease@BloomingtonMN.gov.

Sincerely,



Londell Pease, Senior Planner
Community Development – Planning Division