



March 24, 2023

National Due Diligence Services  
ATTN: Cynthia Linden  
221 Circle Drive  
Maitland, FL 32751

Re: Basic Zoning letter for 8630 Harriet Avenue (Property), PID# 10-027-24-22-0035

To Cynthia Linden:

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 TI, Transitional Industrial, and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Industrial. 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	Office/Outdoor Storage	TI	Industrial
South	Office/Warehouse	TI	Industrial
East	Office/Warehouse	I-3	Industrial
West	Pawn shop/oil change	B-2	General Business

2) Conformance with Current Zoning Requirements:

The Property as an office/warehouse/distribution is permitted in the TI, Transitional Industrial Zoning District. The Planning and Zoning reviews on file include but are not limited to the following:

- October 2, 2000 – City Council approved a variance for the front yard setback from 35 feet to 17.5 feet from the planned widened right-of-way for a building addition and revised Final Site and Building Plans for an addition onto an office/warehouse building. (Case 3335AB-00)

The Property is subject to the recently approved Lyndale Retrofit Plan. Please see the following link for more information: <https://www.bloomingtonmn.gov/plan/lyndale-avenue-retrofit>.

**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

Considering materials and records on file, determining the City Code development performance standard compliance level is unknown. To complete an in-depth performance standards review, plans must be provided, including but not limited to as-built surveys, floor plans, use details, or other information. 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 relevant, including but not limited to:

- Section 19.57.01 – Steep Slopes
- Section 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- Section 21.206.07 – Transitional Industrial (TI)
- 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 21.501.01 – Final Site and Building Plans
- Section 21.504 – Nonconformity

**NOTE:** Access the City Code at [www.code.blm.mn](http://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 office/warehouse/distribution use in the TI, Transitional Industrial 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 what non-conformity may exist. Rebuilding the Property to the legal non-conforming development level is allowed, provided a permit is issued within 365 days of a casualty date. Any changes would require compliance with the applicable codes when rebuilt.

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.

5) No Further Approvals or Licenses Required:

The current use by its owners for office/warehouse/distribution purposes is permitted under the Zoning Ordinance without any rezoning, special exceptions, use permit, variance, or other approval. I am unaware of any other permit or license required by this jurisdiction that a purchaser must obtain before acquiring the Property or before it may continue to be used in the manner it is presently being used.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations with a Plat of HITCHCOCK INDUSTRIES 3RD ADDITION approved and subsequently filed.

7) 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.

8) Certificate of Occupancy:

I am unable to locate a certificate of occupancy for the Property. Given the case file history described above, I have no reason to believe 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 initially 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 Property within the past three years. There is no record of pending or contemplated enforcement proceedings against the Property. There are no open enforcement orders against the Property at this time.

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

- PRMH202001013 – A mechanical/HVAC permit was issued on February 5<sup>th</sup>, 2020 to ARI Mechanical Services Inc for replacing an existing 15-ton carrier roof top unit. Neither a rough-in inspection or final inspection was 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 2753C0456F 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) 563-4507 or [ehestbech@bloomingtonmn.gov](mailto:ehestbech@bloomingtonmn.gov).

Sincerely,

A handwritten signature in cursive script that reads "Emily Hestbech".

Emily Hestbech, Planning Technician  
Community Development – Planning Division