



September 16, 2024

Becky Gaston  
1135 NW 37th Street  
Oklahoma City, OK 73118

Re: Property - 8001 33RD AVE S, BLOOMINGTON, MN 55425, PID# 0602723230646,

To Becky Gaston:

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 High Intensity Mixed Use with Residential (HX-R) with a Planned Development overlay (PD) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is South Loop Mixed Use. 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	Remote Airport Parking	HX-R	South Loop Mixed Use District
South	Apartment, Low Rise	HX-R (PD)	
East	Office/Hotel		
West	Hotel		

2) Conformance with Current Zoning Requirements:

The Property use as Apartment, Low Rise is a permitted use in the High Intensity Mixed Use with Residential (HX-R), Planned Development (PD) Zoning District. The Planning and Zoning reviews on file include but are not limited to the following:

- Case #02830FGHI-13 – Preliminary and Final Plat, Preliminary and Final Development Plan for a 420-unit, six-story Apartment Building and Parking Structure

8001 33<sup>rd</sup> Ave S., is located within the South Loop district of the city and therefore falls within the South Loop District Plan. For more information about the South Loop District Plan, visit the webpage here: <https://www.bloomingtonmn.gov/plan/south-loop-district-plan>

In 1996, the City Council approved a parking lot and security lighting ordinance, which required full compliance with the City Code at a future date. Currently, City Code compliance is required

by December 31, 2024. Therefore, this site may require upgrades to the parking lot and building entries to comply with these requirements.

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 applicable City Code (zoning) sections relevant, including but not limited to:

- Section 19.29 –High-Intensity Mixed Use with Residential (HX-R) District
- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.08 – Exterior Materials and Finish
- 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 21.301.18 – Screening of Roof-Mounted Equipment
- Section 21.302.09 – Multiple-Family Design and Performance Standards
- Section 21.304.01 - Signs
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan

**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. Documents show there were three water supply wells on-site. One was 32 feet deep and identified as well # 27W0017144. The well was sealed on April 12<sup>th</sup>, 2006, by Don Stodola Well Drilling Co., Inc. Another was 35 feet deep and identified as well # 27W0018549. The well was sealed on August 28<sup>th</sup>, 2015, by Bohn Well Drilling Co. The third was 34 feet deep and identified as well # 27W0017143. The well was sealed on April 12<sup>th</sup>, 2006, by Don Stodola Well Drilling Co., Inc.

4) Right to Rebuild Following Casualty:

The use as an apartment building in the HX-R/Planned Development (PD) 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.

The City has issued rental and pool 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 apartment 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.

A search for any pending special assessments has not been completed. Information and contacts for assessments are online at <https://www.bloomingtonmn.gov/eng/pending-assessments>.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations or is otherwise exempt. On December 2<sup>nd</sup>, 2013, a Plat of BLOOMINGTON CENTRAL STATION 4TH ADDN was approved and subsequently filed (Case 02830HI-13).

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.

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 2753C0476F 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,

Emily Hestbech,  
Community Development – Planning Division