



September 12, 2024

Ottie McCullum
221 Circle Drive
Maitland, FL 32751

Re: Property - 2800 E Old Shakopee Road, Bloomington, MN 55425, PID# 0102724410024

To Ottie McCullum:

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 **Innovation and Technology (IT) District** with a **Planned Development (PD) Overlay** and the **Airport Runway (AR-17) Overlay** and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is **Innovation and Technology**. 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	Metro Transit Park & Ride	Lindau Mixed Use (LX); (PD)(AR-17)	Lindau Mixed Use
South	Farm	IT(AR-17)(BP)(FH)	Innovation and Technology
East	Vacant	Freeway Office (C-4); (BP)(AR-17)	Office
West	Parking lot	Mixed-Use (CX-2); (PD)(AR-17)	High Intensity Mixed Use

- 2) Conformance with Current Zoning Requirements:
The Property use as low impact, high-technology manufacturing and research laboratories is a **permitted use by right** in the IT Zoning District as well as the associated Overlay Districts. The Planning and Zoning reviews on file include but are not limited to the following:
- July 28, 2023 – Administratively approved a minor revision to Final Development Plan for a 3,750 square-foot addition to an existing building (Case #PL202300080). See attached letter and plans.
 - November 19, 2014 – Administratively approved a minor revision to Final Development Plan for a canopy/awning addition onto an existing building (Case #07223A-14)

- August 17, 2012 – Administratively approved a minor revision to Final Development Plan to allow relocation of seven parking spaces to accommodate an expansion to an existing nitrogen plant (Case #07223A-12). See attached letter and plans.
- May 18, 2011 – Administratively approved a minor revision to Final Development Plan to reduce the size of the building addition from 98,000 to 89,900 square feet (Case #07223A-11). See attached letter and plans.
- November 15, 2010 – City Council approved a Major Revision to Preliminary Development Plans and a Final Development Plan for a 98,000 square-foot building addition and related parking (Case #07223AB-10)
- December 23, 2009 – Administratively approved a revised final development plan for a 9,820 square-foot building addition (Case #07223A-09). See attached letter and plans.
- August 21, 2000 – City Council approved revised final development plans for an addition to an existing manufacturing facility (Case #07223AB-00)

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 building permit record retention schedule is 15 years, and you can work with the Building and Inspections Division at planreview@bloomingtonmn.gov if you have any questions on building permits issued for the property.

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

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.38.03 – Airport Runway Overlay Districts
- Section 19.63.08 – Exterior Materials and Finish
- Section 21.206.06 – Innovation and Technology (IT) 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 21.304.01 - Signs
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- 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 low impact, high-technology manufacturing and research laboratories uses in the IT Zoning District are legal conforming and 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 low impact, high-technology manufacturing and research laboratory 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. In 1996 a Plat for VTC Addition was 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. If you have any questions about the Certificate of Occupancy, you can contact the Building and Inspections Division at planreview@bloomingtonmn.gov or 952-563-8930.

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.

A review finds that the following building permits remain open with unresolved inspections. The property owner should work with our Building and Inspections Division (inspections@bloomingtonmn.gov) to schedule the inspections and close out these permits:

- PRBD202001372
- PRBD202203163
- PRBD202206475
- PRBD202312397
- PRCRF202104106
- PRDE201903346
- PREL201912988
- PREL202103505
- PREL202116256
- PREL202202472
- PREL202212479
- PREL202212480
- PREL202215434
- PREL202311279
- PREL202311280
- PREL202311282
- PREL202311648
- PREL202314076
- PREL202403067
- PRFS201913106
- PRMH201815293
- PRMH201909848
- PRMH202000165
- PRMH202000451
- PRMH202011980
- PRMH202014890
- PRMH202104284
- PRMH202204565
- PRMH202310261
- PRPL201807979
- PRPL201906307
- PRTP202214961

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.

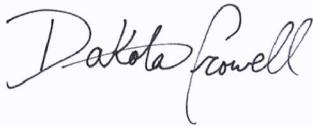
11) Road Construction:

There does not appear to be any plans for road construction or widening that would result in condemnation or taking of the right-of-way from the subject property.

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 dcrowell@BloomingtonMN.gov.

Sincerely,

A handwritten signature in cursive script that reads "Dakota Crowell".

Dakota Crowell, AICP, Planner
Community Development – Planning Division