



PL202400041
PL2024-41

April 05, 2024

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

Re: Property - 9701 LYNDALE AVE S, BLOOMINGTON, MN 55420, PID# 1502724230072,

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 **Neighborhood Commercial Center (B-4) with a Planned Development (PD) Overlay** and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is **Community Commercial**. 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	Financial Institution	B-4	Community Commercial
South	Office	B-4 (PD)	Community Commercial
East	Post Office and Museum	B-2 & B-4	Community Commercial & Public
West	Auto and Retail Sales	B-4	Community Commercial

- 2) Conformance with Current Zoning Requirements:
The Property use as Neighborhood Shopping Center is a permitted use as approved in the Final Development Plan issued for the property. Several Planning and Zoning reviews have occurred over the years. The Planning and Zoning reviews on file include but are not limited to the following:

- August 4, 1986 – City Council approved a Preliminary and Final Plat, a rezoning from CB to CB(PD) and a Preliminary and Final Development Plan for a retail center. (Case 9322-A-86)
- October 5, 1987 – City Council approved a rezoning from CB to CB(PD) and a revised Preliminary and Final Development Plan for a retail center. (Case 9471AB-87)
- April 26, 2010 – City Council rezoned property from CB(PD) to B-2(PD). (Case 10002B-10)

- April 1, 2019 – City Council rezoned the property from B-2(PD) to B-4(PD). (Case PL201900023)
- April 5, 2021 – City Council adopted the Lyndale Ave Retrofit Plan to help guide the future character and function of Lyndale Avenue.

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, include but not limited to:

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- Section 21.204.03 – Neighborhood Commercial Center (B-4) 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 21.302.19 – Restaurant 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 retail shopping center with restaurants in the B-4(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 180 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 a retail center purposes is permitted under the approved Final Development Plan and may continue 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>.

The City has issued 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.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations or is otherwise exempt.

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 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, 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.

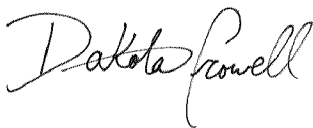
10) Flood Zone Designation:

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 2753C0458F 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 dcrowell@BloomingtonMN.gov.

Sincerely,

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

Dakota Crowell, Planner
Community Development – Planning Division