



February 14, 2025

Doris Shih
National Zoning Associates, LLC, 4616 NW 159th Street
Edmond, OK 73013

Re: Property - 9728 LYNDALE AVE S, BLOOMINGTON, MN 55420, PID# 1602724140003,

To Doris Shih:

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) 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	Auto dealership	Neighborhood Commercial (B-4)	Community Commercial
South	Bus stop/Neighborhood shopping center	Neighborhood Commercial (B-4), Planned Development (PD)	General Business
East	Medical center, Neighborhood shopping center	Neighborhood Commercial (B-4), Planned Development (PD)	Community Commercial
West	Interstate 35	Right of Way	-

2) Conformance with Current Zoning Requirements:

The Property use as Neighborhood Shopping Center is a permitted use in the Neighborhood Commercial Center (B-4) Zoning District. The Planning and Zoning reviews on file include but are not limited to the following:

- On November 24th, 1986, Council approved a two-year conditional use permit for a take-out restaurant (Case 2037B-86).
- On January 13th, 1989, Council approved a conditional use permit for a takeout restaurant (Case 2037A-88).
- On September 14th, 1989, there was administrative approval for revised final site and building plans to increase seating from 8 to 16 in an eating establishment (2037A-89).

- On August 19, 1996, Council approved a two-year temporary conditional use permit for a karate school (case 2037A-96).
- On October 20, 1997, Council approved a conditional use permit for a restaurant in an existing shopping center (Case 2037A-97).
- On February 20, 1998, there was administrative approval for a revised final site and building plans to modify the existing west building elevation to install four windows (Case 2037A-98).
- On May 7th, 2001, Council approved a conditional use permit for a 26 seat coffee shop (Case 2037A-01).
- On June 6th, 2001, there was an administrative approval for a revised final site and building plan to allow seasonal outdoor seating along the south windows of Starbucks (Case 2037B-01).
- On April 26th, 2010, Council approved an ordinance rezoning the property from CB, Central Business District to B-2, General Commercial District (Case 10002B-10).
- On February 22, 2011, there was administrative approval for minor revisions to final site and building plans for a canopy on the north elevation (Case 2037A-11).
- On February 27th, 2012, Council approved a resolution approving a conditional use permit for a physical fitness training facility (Case 2037A-12).
- On January 23rd, 2014, Planning Commission approved a conditional use permit for a four-seat restaurant (Case 2037A-14).
- On June 11th, 2015, Planning Commission approved a conditional use permit for a health club (Case 2037B-15).
- On April 1, 2019, Council approved a rezoning from B-2, General Commercial to B-4, Neighborhood Commercial Center (Case PL2019-23).

This property is within the Lyndale Avenue Suburban Retrofit Plan area. View the plan here: https://www.bloomingtonmn.gov/sites/default/files/lyndale_avenue_suburban_retrofit_plan.pdf

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 21.301.24 – Exterior Materials and Finish
- 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 21.301.18 – Screening of Roof-Mounted Equipment
- Section 21.302.19 – Restaurant Performance Standards
- Section 21.304 - Signs
- Section 21.501.01 – Final Site and Building Plans
- Section 21.501.04 – Conditional Use Permit

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. Documents show the following water supply wells on-site:

1. 110 feet deep and identified as well #205355. The well was sealed on 8/27/1987 by Don Stodola Well Drilling Co, Inc.
2. 56 feet deep and identified as well # 27W0018670. The well was sealed on 11/25/2015 by Range Environmental Drilling.
3. 105 feet deep and identified as well # 27W0012207. The well was sealed on 7/9/1987 by Don Stodola Well Drilling Co, Inc.
4. 115 feet deep and identified as well # 205356. The well was sealed on 8/27/1987 by Don Stodola Well Drilling Co, Inc.

4) Right to Rebuild Following Casualty:

The use in the Neighborhood Commercial Center (B-4) 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 neighborhood shopping center purposes is permitted under the Zoning Ordinance without any rezoning, special exceptions, use permit, variance, or other approval. Specific businesses or uses within the shopping center may require a conditional use permit. 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. This property is not platted.

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 that the following building permits remain open with unresolved inspections:

- PRBD202412120 – Permit for renovation of the exterior shopping center – final inspections have not been completed.
- PRBD202413503 – Permit for exterior façade demolition – final inspections have not been completed.
- PREHP2022117690 – Environmental Health Plan for a new bakery – final inspections have not been completed.
- PREL202311770 – Electrical permit to install 12 new parking lot fixtures – electrical final inspection has not been completed.
- PREL202415358 – Electrical permit for a strip mall retail storefront refresh – final inspections have not been completed.
- PREL202500692 – Electrical permit for outdoor wiring of All Seasons Wild Bird Store sign – final inspections have not been completed.
- PRFS201709272 – Fire Suppression System permit for replacing 12 heads in dining area and bathroom – final inspections have not been completed.

- PRFS202410129 – Fire Suppression System permit for moving sprinkler heads – final inspections were never completed, and the permit has expired.
- PRMH202415247 – Mechanical/HVAC permit for connecting temp heaters – final inspections have not been completed.
- PRPS202500065 – Sign permit for All Seasons Wild Bird store – final lighting inspection has not been completed.
- PRST202500184 – Structural permit to furnish and install illuminated raceway mount logo and letter wall sign for All Seasons Wild Bird store – final inspections have not been completed.
- PRST202500943 – Structural permit for two raceway signs – final inspections have not been completed.
- PRTP202415546 – Tank/Pipe Install/Removal permit – permit was never paid for and has not been issued.

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) 563-4507 or ehestbech@BloomingtonMN.gov.

Sincerely,



Emily Hestbech, Planner
Community Development – Planning Division