



January 2, 2018

Homestead Title
ATTN: Paul Steffenson
400 South Four Street
1025 Grain Exchange Building
Minneapolis, MN 55415

Re: Zoning Letter Request – 500 American Boulevard West, PID#03-027-24-22-0038 (Property)

To Mr. Steffenson:

In response to your request for zoning and land use verification and information for the Property, please be advised of the following as of the date hereof:

1) Zoning and Comprehensive Land Use Plan Designation:

The property is zoned I-3, General Industrial, and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Regional Commercial. The Zoning and Comprehensive Land Use Plan maps can be viewed at <https://www.bloomingtonmn.gov/plan/zoning-and-guide-plan-maps>.

The adjoining property use, zoning and Comprehensive Plan designations are:

Direction	Use	Zoning	Comprehensive Plan
North, East and West	Retail and auto dealership	I-3 and CR-1(PD)	Regional Commercial
South	Office and retail	I-3 and I-3(PD)	Industrial

2) Conformance with Current Zoning Requirements:

The Property was constructed in 1953. The current use on record is an office, warehouse and auto service garage. These uses are permitted uses in the I-3 Zoning District. The following zoning reviews were completed:

- In 1966 a variance to make alterations and add an addition to existing industrial building on land not described by lot and block number was approved (Case 04301).
- In 1970, a variance to reduce the rear yard setback to five feet was approved for an addition to the existing structure (Case 4301A-70).
- August 31, 1987 City Council approved a one year waiver of Platting. (Case 4301A-87)
- On June 6, 1988, a preliminary and final plat for Kennedy Addition was approved by the City Council. This action resulted in the dedication of right-of-way for a total right-of-way of 60 feet from centerline of 79th Street (4301A-88).

Considering materials and records on file, I cannot determine the level of City Code development performance standard compliance. To complete an in depth review, which includes a site visit and review of plans (if-provided) including but not limited to as-built surveys, any floor plans, use details, or other information is not included in this letter, that level of detail requires \$124 for the full analysis plus \$52 per hour for each hour over 2 hours. The building permit record retention schedule is 15 years and there are no building related plans on file.

Although, a site plan was submitted for Case 4301-91. Based on a review of the site plan on file, the property is legally non-conforming for parking, landscaping and front yard setback. An on-site inspection on March 7, 1997 verified there are no exterior changes since approval in 1991, therefore, the development and use of the property was in compliance and/or legally non-conforming with the City Code in 1997. No site inspections have been completed since that time.

In 1996, the City Council approved a parking lot and security ordinance which required full compliance with the City Code at a future date. Currently, the City Code required compliance by December 31, 2020. This site may require significant upgrades to the parking lot and building entry's to comply with these minimum requirements.

The applicable City Code (zoning) sections applicable include but not limited to:

- Section 19.33 – Industrial (I-1, I-2 and I-3) District
- Section 19.51 – Refuse handling and storage
- Section 19.52 – Landscaping and screening
- Section 19.52.01 –Screening of roof mounted equipment
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.301.04 – Sidewalks
- Section 21.301.06 – Parking and Loading
- Section 21.301.07 – Exterior Lighting
- Section 21.301.10 – Height
- Section 21.501.01 – Final Site and Building Plans
- Section 21.504 – Nonconformity

NOTE: To review a City Code Section, type www.code.blm.mn/ followed by the City Code Section number. (For example www.code.blm.mn/21.301.07 is lighting)

3) Utilities serving the property:

According to the City of Bloomington Public Works Division records, the property is served by water, sanitary sewer and storm sewer. All other utilities are provided by non-City providers. Please contact the appropriate provider for detailed information on other services to the property. Documents show there was a water supply well on-site. It was 95 feet deep and identified as well#27W0011942. The well was sealed on February 19, 1997 by Barott Drilling Services, Inc.

4) Right to Rebuild Following Casualty:

The office, warehouse and auto service garage in the I-3 Zoning District may continue following casualty, in accordance with the performance standards at the time it is rebuilt and in accordance with City Code Section 21.504, Non-conformity. If the property is non-conforming, which cannot be accurately determined without a full review of an as built survey and development details, and in the event of casualty, the Property could be rebuilt to the legally non-conforming development. Any changes would require compliance with the applicable codes at the time it is rebuilt.

City records show no open enforcement orders against the property at this time. This statement does not mean that the property is free of violations or is in full compliance with federal, state and local applicable codes.

5) No Further Approvals or Licenses Required:

The current use by its present owners for office, warehouse and auto service garage purposes is permitted under the Zoning Ordinance without necessity of any rezoning, special exceptions, use permit, variance or other approval. I am not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the Property or before the Property may continue to be used in the manner in which it is presently being used.

6) Compliance with Subdivision Regulations:

The Property complies with subdivision regulations. On June 6, 1988 a final plat of Kennedy Addition was approved and subsequently filed. (Case 4301A-88)

7) No Application(s) Pending:

No application for rezoning, for a special or conditional use permit or a variance in connection with the Property, is now pending. No proceeding to challenge zoning or other governmental approval or use of the Property is pending, or to the best of my knowledge, overtly threatened.

8) Certificate of Occupancy:

I am unable to locate a certificate of occupancy for the Property. I have no reason to believe one was not properly issued. In the absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Property. It is not necessary for a new purchaser to obtain either a new Certificate of Occupancy or an amendment to the existing Certificate of Occupancy in order continue use and occupancy of the Property which it is approved.

9) Violations Outstanding or Development Related Fees Paid:

I am unaware of any active or alleged violations to any zoning, subdivision, building or similar ordinances or regulations applicable to the Property within the past three years. There is no record of any pending or contemplated enforcement proceedings against the Property. There are no open enforcement orders against the property at this time.

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This statement does not mean that the property is free of violations or is in full compliance with federal, state and local applicable codes. All required fees have been paid in connection with the development and use of the Property, including any impact-related fees, have been paid, and no such fees which would have applicability to the Property are otherwise pending or known at this time.

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 of Bloomington designates the Property as Zone X on Panel Number 2753C0456F dated November 4, 2016.

This information was researched by the person signing this letter on behalf of the City of Bloomington as a service. The undersigned certifies the above information is believed to be accurate based on or relating to the information supplied in the request for this zoning verification and the information on file with the City of Bloomington. The City assumes no liability for errors or omissions. All information was obtained from public records which may be inspected during regular business hours.

Please contact me at (952) 563-8926 or lpease@BloomingtonMN.gov for any questions.

Sincerely,



Londell Pease, Senior Planner
Community Development – Planning Division