



February 06, 2018

Rhonda Cain
American Zoning Services
2525 NW 30th Street
Oklahoma City, OK 73112

Re: Property - 4401 AMERICAN BLVD W, BLOOMINGTON, MN 55437,
PID# 0602724130128

To Rhonda Cain:

In response to a 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 CS-0.5(PD) Commercial Service (Planned Development) and R-1 Low Density Residential and is subject to the applicable Bloomington City Code performance standards. Commercial operations are located on the portion of the site zoned CS-0.5. The Comprehensive Plan Land Use Plan designations are Regional Commercial and Water. 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	Interstate 494	N/A	N/A
South	Single-Family Residential	R-1	Low Density Residential
East	Hospitality	CS-0.5	Community Commercial
West	Office	CS-0.5	Community Commercial

- 2) **Conformance with Current Zoning Requirements:**
The Property use as a motor vehicle sales is conditionally permitted in the CS-0.5 District when part of a planned development. Several Planning and Zoning reviews have occurred over the years. The following zoning reviews were completed:

- City Council Action: 01/23/2006 – Adopted a resolution amending the Comprehensive Plan to reflect a change in the Land Use Guide Plan designation from Community Commercial to Regional Commercial for 4301 American Boulevard (Case 8133A-05); adopted a resolution approving a revised preliminary development plan and a final development plan for a Class I and II motor vehicle sales business (dealership for new

cars) at 4301 and 4401 American Boulevard (Case 8133BC-05); and adopted a resolution approving a Conditional Use Permit for a Class I and II motor vehicle sales business (Dealership for new cars) at 4301 and 4401 American Boulevard (Case 8133D-05).

- City Council Action: 04/17/2006 – Approved the preliminary and final plat of PA WALSER ADDITION (Case 8133A-06).
- City Council Action: 11/20/2007 – Approved a revised final development plan for an addition to an existing Class I and II motor vehicle sales (new car dealership) and related site improvements at 4401 American Boulevard (Case 8133B-07).
- City Council Action: 06/06/2016 – Approved a conditional use permit for a 229,634 square foot, five story replacement automobile sales/repair/service facility with administrative offices and major revisions to the preliminary and final development plans (Case PL2016-63).

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 \$128 for the full analysis plus \$55 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.

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. While motor vehicle sales facilities typically exceed City lighting requirements, this site may require significant upgrades to the parking lot and building entries to comply with these minimum requirements.

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

- Section 19.40.08 – Commercial Service Districts
- 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 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan

- Section 21.501.04 – Conditional Use Permit
- 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.

4) Right to Rebuild Following Casualty:

The motor vehicle sales facility in the CS-0.5 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 motor vehicle sales use has been approved by the City of Bloomington. 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. The PA WALSER ADDITION plat was approved and subsequently filed.

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, given the case file history described above, 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.

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 2753C0452F dated November 4, 2016. While not within a designated flood zone, the southern portion of the property is subject to Shore Area Management Zone requirements established in Section 19.87.01 of the City Code.

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) 563-8921 or mcentinario@BloomingtonMN.gov for any questions.

Sincerely,



Mike Centinario, Planner
Community Development – Planning Division