



February 7, 2019

American Zoning Services  
 ATTN: Rhonda Cain  
 3900 Beachcomber Drive  
 Yukon, OK 73099

Re: Zoning letter  
 7900 Xerxes Avenue and 3400 American Boulevard West (Property)  
 PID #05-027-24-21-0003 and 05-027-24-21-0002

Dear Ms. Cain:

In response to your request for zoning 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 CO-1(PD) Commercial Office (Planned Development) and is subject to the restrictions and performance standards in the Bloomington City Code. The Comprehensive Plan Land Use Plan designation is Office. The Zoning and Comprehensive Land Use Plan maps are available 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
South	Passive Park and Multiple Family Residential	R-1 and RM-12	High Density Residential and Public
North	City of Edina – No information provided		
East	Office/Retail	CS-1 and CR-1	Community Commercial
West	Office	CO-1	Office

- 2) Conformance with Current Zoning Requirements:  
 The Property use as office is a permitted use. The financial institution is a provisional use provided there is no external entrance/exit or drive through services.

The current financial institution and drive through lanes are legal non-conforming uses. When the building was constructed, the Property was Zoned FD-1, which allowed the financial institutions with drive-through services as a permitted use.

Several Planning and Zoning reviews relating to the Property include:

- October 13, 1971 – Variance Board approved sign variances for a tower sign greater than 20 feet from the top of the building and for a second sign. (Case 7532BC-71)
- February 21, 1973 – Approved a Conditional use Permit for a restaurant. (Case 7532B-73)
- March 14, 1977 – Variance approved to relocate the docks. (Case 7532E-77)
- November 21, 1977 – City Council requested a resolution of denial for Final Site and Building Plans for an office addition. (Case 6844A-77)
- December 19, 1977 – Resolution of denial failed 4-4.
- March 16, 1987 – Approved variances to allow additional signage and reduce setbacks. (Case 7532AB-86)
- December 7, 1992 – Approved a rezoning and preliminary and Final Development Plan and a Uniform Sign Design for an existing office and financial institution development. (Case 7532A-92)

Considering the materials and records on file, I cannot determine the continued level of City Code development performance standard compliance. The last full review was in 1992. To complete an in depth performance standards review, plans, including but not limited to as-built surveys, any floor plans, use details, or other information is not included in this letter must be provided. A performance standards review has a separate fee of \$131 plus \$56 per hour for each hour over 2 hours.

There is a 15-year record retention period for building plans and any final approved plans that were part of the building permit record have been purged. I have included the Planning Commission and City Council Minutes and Agenda materials for your review. The last site plan on file is attached.

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 parking ramp is in compliance, the surface parking will require upgrades to comply with the minimum requirements.

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

- Section 19.40.08 – Commercial Service District
- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.52 – Landscaping and screening
- 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 21.301.17 – Refuse Handling and Storage

- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.504 – Nonconformity

NOTE: To review a City Code Section, type [www.code.blm.mn/](http://www.code.blm.mn/) followed by the City Code Section number.  
(For example [www.code.blm.mn/21.301.07](http://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 office and associated financial institution in the CO-1(PD) 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 to any performance standards, 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 would be required to meet the applicable performance codes at the time it is rebuilt.

5) No Further Approvals or Licenses Required:

The current use by its present owners for office and legal non-conforming use as financial institution with exterior access and associated parking may continue 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 Plat of Northwest Financial Center complies with the applicable subdivision regulations.

7) No Application(s) Pending:

No application for rezoning of the Property, or for a special or conditional use permit or 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 from our records. I have no reason to believe, given the case file history described above, that one was not properly issued. The absence of a Certificate of Occupancy under such circumstances would not give rise to any enforcement action affecting the Property.

9) Violations Outstanding or Development Related Fees Paid:

I am unaware of any violations or alleged violations applicable to any zoning, subdivision, building or similar ordinances or regulations applicable to the Property within the past three years, or 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.

3) 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.

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 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](mailto:lpease@bloomingtonmn.gov) for questions.

Sincerely,



Londell Pease, Senior Planner  
Community Development – Planning Division