



December 05, 2019

Boisclair Corporation
ATTN: Lori Boisclair
610 Ottawa Avenue North
Golden Valley, MN 55422

Re: Property - 8100 Knox Avenue South, Bloomington, MN 55431, PID# 0402724240017

Ms. Boisclair:

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 Multiple-Family Residential (Planned Development) (RM-50)(PD) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is High Density Residential. 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	Multiple-family residential dwellings	C-5(PD)	Community Commercial
South	Single-family residential dwellings	R-1	Low Density Residential
East	Office	C-4(PD)	Office
West	Reservoir and park	R-1	Public

2) Conformance with Current Zoning Requirements:

The Property use for multiple-family residential apartments is permitted in the Multiple-Family Residential (RM-50) Zoning District. The Planning and Zoning reviews on file include but are not limited to:

- December 22, 1975 – Preliminary and Final Plat of Reservoir Park 2nd Addition approved by the City Council (Case #6893A-75) – see attached minutes.

- August 15, 1977 – Final Development Plans and Final Site and Building Plans for a 15-story, 212-unit senior housing building approved by the City Council (Case #8056A-77) – see attached minutes.
- September 23, 2019 – Preliminary and Final Plat (Type III) of Reservoir Park 3rd Addition, subdividing one lot into two lots, approved by the City Council (Case #PL2018-143) – see attached decision notice. To staff's knowledge, the approved plat in this case has not yet been recorded. It is important to note that following the recording of the plat, both resulting lots will continue to remain in the subject planned development (PD) of record from Case #8056A-77.
- February 25, 2019 – Platting variance and change of condition to defer payment of park dedication fees associated with the plat of Reservoir Park 3rd Addition until prior to the issuance of a building permit (Case #PL2019-9) – see attached decision notice.

Considering materials and records on file, I cannot determine the level of City Code development performance standard compliance. 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. 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. 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 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.52 – Landscaping and screening
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.203.08 – Multiple-Family (R-50) District
- Section 21.209 – Use Tables
- Section 21.301.01 – Development Intensity and Site Characteristics
- Section 21.301.02 – Structure Placement
- 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 21.302.09 – Multiple Family Design and Performance Standards
- 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/ 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 is a monitoring well on-site. It was 30 feet deep and identified as well #27W0019622. The well was sealed on May 10, 2018 by Glacial Ridge Drilling Inc.

4) Right to Rebuild Following Casualty:

The multiple-family residential use in the RM-50 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 open enforcement orders against the property at this time. For more specific information about the nature of the open enforcement orders, you can contact Mark Stangenes in the Environmental Health Division at (952) 563-8980.

The City has issued rental housing licenses for this address. The Bloomington Environmental Health Division conducts routine inspections related to these licenses. Copies of the inspection reports, if needed, are available through Mark Stangenes at (952) 563-8980.

5) No Further Approvals or Licenses Required:

The current use by its present owners for multiple-family residential dwelling 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. Future development will require

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations. On December 22, 1975, the Plat of Reservoir Park 2nd Addition was approved and subsequently filed (Case #6893A-75) – see attached plat. On September 23, 2019, the Plat of Reservoir Park 3rd Addition was approved by the City Council (Case #PL2018-143), but has yet to have been filed or recorded to staff's knowledge.

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:

There are open enforcement orders against the property at this time. To obtain more information about the nature of the open orders, contact Mark Stangenes in the Environmental Health Division at (952) 563-8980

The statement above does not mean that the property is free of other violations or is in full compliance with federal, state and local applicable codes excluding the previously referenced open orders. 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.

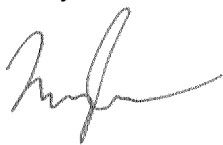
10) Flood Zone Designation:

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 27053C0456F 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) 563-8925 or nmjohnson@BloomingtonMN.gov for any questions.

Sincerely,



Nick Johnson, Planner
Community Development – Planning Division