



January 3, 2017

Mr. Jason Radel
Wells Fargo Bank, N.A.
Commercial Real Estate Group
MAC N9305-16H
90 S. 7th Street, 16th Floor
Minneapolis, MN 55402

Mr. James L. Erickson
Vice President/Senior Counsel
First American Title Insurance Company
National Commercial Services
801 Nicollet Mall, Suite 1900
Minneapolis, MN 55402

Re: Property - 8170 33rd Avenue South, Bloomington, MN 55425, PID# 0602723230630
8170 31st Avenue South, Bloomington, MN 55425, PID# 0102724140016

Mr. Radel and Mr. Erickson:

In response to a letter requesting certain land use information regarding the Property, please be advised of the following as of the date hereof:

- 1) Current Zoning and Comprehensive Land Use Plan Designation: The land is zoned HX-R (PD) High Intensity Mixed Use with Residential (Planned Development) and is subject to the use restrictions and performance standards in the Bloomington City Code. The Comprehensive Plan designates the Property as South Loop Mixed Use
- 2) Conformance with Current Zoning Requirements: The property's existing use as an office building and surface parking is permitted in the HX-R zoning district. The property's planned use (use approved, building permit not yet issued) of a parking ramp structure is also permitted in the HX-R district. All of the permitted and conditional uses of the HX-R zoning district can be found in the attached Zoning Code excerpts.

The following approvals have been granted for the Property:

- February 6, 2006 – Application for revised Preliminary Development Plan for transit-oriented mixed use development. Approved by the City Council (Case 2830C-05).

- July 24, 2006 – Application for revised Preliminary Development Plans and Final Development Plans for a temporary parking lot. Application approved by the City Council (2830CD-06).
 - October 6, 2008 – Application for Preliminary and Final Plat for Bloomington Central Station 2nd Addition. Application was approved by the City Council (Case 2830A-08).
 - October 24, 2016 – Application for Preliminary and Final Plat for Bloomington Central Station 5th Addition and Final Development Plans for an eight level parking ramp structure and associated site improvements. Application was approved by the City Council (Case PL2016-146) – see attached transmittal letter.
- 3) Adjacent Property Zoning Designation: The properties adjacent to the subject properties have the following zoning designations:
- North and East – HX-R (PD) High Intensity Mixed Use with Residential (Planned Development)
South – C-4 Freeway Commercial Center
West – LX Lindau Mixed Use and CO-1 Commercial Office
- 4) 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.
- 5) Right to Rebuild Following Casualty: The office building and parking structure uses may continue following casualty subject to reconstruction in accordance to the approved Final Development Plans. If it is destroyed, reconstruction must comply with the applicable regulations and Final Development Plan approvals at the time of reconstruction. This only applies to performance standards such as landscaping, lighting, signs and other related development items. The property use in the current configuration may be reconstructed without any additional approvals.
- 6) No Further Approvals or Licenses Required: The existing/planned use as an office building and parking structure is permitted under the Zoning Ordinance without necessity of any rezoning, special exceptions, variance or other approval.

- 8) Compliance with Subdivision Regulations: The Property complies with, or is otherwise exempt from, applicable subdivision regulations. On October 6, 2008, a Plat (Bloomington Central Station 2nd Addition) was approved and subsequently filed. On October 24, 2016, a Plat (Bloomington Central Station 5th Addition) was approved and subsequently filed.
- 9) 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 Project is pending, or to the best of my knowledge, overtly threatened.
- 10) 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 Project within the past three years, or any pending or contemplated enforcement proceedings against the Project.
- 11) 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 27053C0476F dated November 4, 2016.
- 12) Certificate of Occupancy: I am unable to locate a certificate of occupancy for the Project from our records. I have no reason to believe, given the case file history described above, that one was not properly issued, and the absence of a Certificate of Occupancy under such circumstances would not give rise to any enforcement action affecting the Project. It is not necessary for a new purchaser of the Property to obtain either a new Certificate of Occupancy or an amendment to the existing Certificate of Occupancy in order to own, use and occupy the Project in the manner which it is approved.

This information was researched by the person signing this letter on behalf of the City of Bloomington, on request, as a service. The undersigned certifies that 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) 563-8925 or nmjohnson@BloomingtonMN.gov for any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Johnson", with a long, sweeping horizontal stroke extending to the right.

Nick Johnson, Planner
Community Development – Planning Division