



May 18, 2016

Bock and Clark Zoning
Suzanne Fletcher
3000 S Berry Road, Suite 110
Norman, OK 73072

Re: Zoning Verification letter – Nesbitt Technology Center
10801 Nesbitt Avenue South
PID # 3311621330004

Dear Ms. Fletcher:

In response to a request received on May 11, 2016 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 IP, Industrial Park and is subject to the use restrictions and performance standards in the Bloomington City Code. The Comprehensive Plan Land Use Plan designates the Property as Industrial.
- 2) Adjacent Property Zoning Designations:

North – R-1, Single Family Residential
West and south – IP, Industrial Park
East – IP(PD), Industrial Park (Planned Development)
- 3) Conformance with Current Zoning Requirements: The Property use as an office is permitted in the IP, Industrial Park Zoning District.

The following approvals have been granted for the Property:

- March 26, 1987 – Variances to allow more than visitor parking on north and reduce parking setback on Nesbitt Avenue (Case 9395AB-87).
- March 5, 1998 – Ordinance to amend Section 19.61.01 and reduce the required 500 foot setback from an arterial street to 200 feet if the intervening property is developed with office or warehousing (Case 10000B-98); Rezone property from Industrial Park IP to Industrial Park (Planned Development) I-1 (PD) (Case 9395B-98); and Preliminary and Final Development Plans for an office/warehouse and self-storage facility development (Case 9395C-98). Applications denied.

- September 23, 1999 – Final Site and Building Plan for an office warehouse building (Case 9395A-99).
- July 12, 2001 – Rezone a portion of 10800 and 10801 Nesbitt Avenue and 6101, 6301 West Old Shakopee Road from R-1 to IP (Case 10002A-01).

There are open enforcement orders for these properties related to property maintenance. Further information concerning these violations is available through Mark Stangenes, Environmental Health Division, at 952.563.8980.

- 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 structures on the subject parcels may continue following destruction, in accordance with City Code Section 21.504, Non-Conformity. However, if it is destroyed, reconstruction must comply with the applicable regulations
- 6) Pending Applications: There are no pending applications for rezoning of the property, for a special or conditional use permit, or variance in connection with the property. No proceeding to challenge zoning or other governmental approval or use of the property is pending. The window to appeal the aforementioned approvals to the City Council has closed.
- 7) Compliance with Subdivision Regulations: The Project complies with, or is otherwise exempt from, applicable subdivision regulations. On November 6, 1985, a Plat was approved and subsequently filed.
- 8) No Application(s) Pending: No application for rezoning of the Project, or for a special or conditional use permit or variance in connection with the Property or Project, 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.
- 9) Certificate of Occupancy: I am unable to locate a certificate of occupancy for the Project from our records. I have no reason to believe 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.
- 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 2705C0461E dated September 2, 2004.

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) 563-8919 or eoday@BloomingtonMN.gov for any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth O'Day".

Elizabeth O'Day, Planning Technician
Community Development – Planning Division