



February 1, 2017

The Planning and Zoning Resource Company
ATTN: Sheneetra Scroggins
1300 South Meridian Avenue, Suite #400
Oklahoma City, OK 73108

Re: Property - 1700 American Boulevard East, Bloomington, MN 55425, PID# 0202724110056,

Ms. Scroggins:

In response to your request dated 01/24/2017, 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 FD-1 (PD) (AR-22) Freeway Development (Planned Development) (Airport Runway) and is subject to the use restrictions and performance standards in the Bloomington City Code. The Comprehensive Plan designates the Property as Community Commercial.
- 2) Conformance with Current Zoning Requirements: The property's use as a hotel and water park is permitted as a conditional use in the FD-1 zoning district. All of the permitted and conditional uses of the FD-1 zoning district can be found in the attached Zoning Code excerpts.

The following approvals have been granted for the Property:

- November 2, 1998 – Approved a Preliminary and Final Plat for Decathlon Hotel Addition and Preliminary and Final Development Plans for a hotel (Case 6001BC-98) – see attached minutes.
- April 19, 2004 – Approved a Major Revision to Final Development Plans for a 403-room hotel and accessory water park (Case 6001A-04) – see attached minutes.
- September 27, 2004 – Approved a Major Revision to Final Development Plans and a Change of Condition for the exterior design of a 403-room hotel as approved in Case 6001A-04 (Case 6001B-04) – see attached minutes.
- December 18, 2006 – Approved Variances to increase the size of exterior wall signage (Case 6001ABC-06) – see the attached minutes.

- 3) Adjacent Property Zoning Designation: The properties adjacent to the subject properties have the following zoning designations:

North – Interstate highway 494 right-of-way

South – FD-1(PD) Freeway Development (Planned Development) and FD-1(PD)(AR-22) Freeway Development (Planned Development) (Airport Runway)

East – State Highway 77 right-of-way

West – FD-1(AR-22) Freeway Development (Airport Runway)

- 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 hotel use 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 use as a hotel and accessory water park is permitted as a conditional use 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 November 2, 1998, a Plat (Decathlon Hotel Addition) was approved and subsequently filed.
- 9) Application(s) Pending: The property owner recently filed an application on December 21, 2016 for a Conditional Use Permit and a Major Revision to Final Development Plans to expand and renovate a hotel use. The application was recommended for approval by the Planning Commission on January 26, 2017 and will be considered by the City Council on February 6, 2017.
- 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 Numbers 27053C0457F and 27053C0476 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,



Nick M. Johnson, Planner
Community Development – Planning Division