



August 14, 2020

Jennifer Martin
200 South Sixth Street, Suite 1300
Commercial Partners Title, LLC
Minneapolis, MN 55402

Re: Properties – 2001, 2051, 2101 Killebrew Drive, Bloomington, MN 55425

Ms. Martin:

In response to your request for zoning verification and information for the Properties, please be advised of the following as of the date hereof:

1) Zoning and Comprehensive Land Use Plan Designation:

The Properties are zoned C-4 (PD) Freeway Office (Planned Development) and are subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Office. 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	Mall of America	CX-2(PD)	High Intensity Mixed Use
South	High density residential	R-4	High Density Residential
East and West	Hospitality	C-4(PD)	Office

2) Conformance with Current Zoning Requirements:

The Properties use as office is permitted in the C-4 zoning district. 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.

Attached to this letter are landscaping plans on file. In reviewing aerial imagery, it appears that a significant amount of landscape material has been removed from the Properties. Therefore, the Properties would not be in compliance with landscaping requirements in City Code.

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, 2024. This site requires significant upgrades to the parking lots and building entries 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 21.205.04 – Freeway Office (C-4) District
- Section 21.209 – Use Tables
- Section 21.301.01 – Development Intensity and Site Characteristics
- Section 21.301.02 – Structure Placement
- Section 21.301.03 – Structure Design
- 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 21.302.02 – Residential Uses in Commercial Zones
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.501.04 – Conditional Use Permit
- 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 properties:

According to the City of Bloomington Public Works Division records, the Properties are 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 Properties.

4) Right to Rebuild Following Casualty:

The office use in the C-4 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 Properties are 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 Properties 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 no open enforcement orders against the Properties at this time. This statement does not mean that the Properties are free of violations or is in full compliance with federal, state and local applicable codes.

5) No Further Approvals or Licenses Required:

The current use by its present owners for office 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 Properties or before the Properties may continue to be used in the manner in which it is presently being used.

6) Compliance with Subdivision Regulations:

The Properties comply with, or is otherwise exempt from, applicable subdivision regulations. On April 28, 2980, the Plat of M C M I 2ND ADDITION; M C M I 2ND ADDITION; was approved and subsequently filed.

7) No Application(s) Pending:

No application for rezoning, for a special or conditional use permit or a variance in connection with the Properties, is now pending. No proceeding to challenge zoning or other governmental approval or use of the Properties 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 Properties. I have no reason to believe, one was not properly issued. In the absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Properties. It is not necessary for a new purchaser to obtain either a new Certificate of Occupancy or an amendment to the existing Certificates of Occupancy in order continue use and occupancy of the Properties which it is approved.

9) Violations Outstanding or Development Related Fees Paid:

Except for landscaping deficiencies, I am unaware of any active or alleged violations to any zoning, subdivision, building or similar ordinances or regulations applicable to the Properties within the past three years. There is no record of any pending or contemplated enforcement proceedings against the Properties. There are no open enforcement orders against the Properties at this time.

All required fees have been paid in connection with the development and use of the Properties, including any impact-related fees, have been paid, and no such fees which would have applicability to the Properties are otherwise pending or known at this time.

10) Flood Zone Designation:

The Properties are not located in a Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City of Bloomington designates the Properties as Zone X on Panel Number 2753C0467F 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) 563-8921 or mcentinario@BloomingtonMN.gov for any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mike Centinario".

Mike Centinario, Planner
Community Development – Planning Division