



November 22, 2020

Mr. Frank Crisafi
Ceres Enterprises
835 Sharon Drive Suite 400
Westlake, OH 44145

Re: Property - 8001 28TH AVE S, BLOOMINGTON, MN 55425
PID# 0102724140015

Mr. Crisafi:

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 LX(PD)(AR-17), Lindau Mixed Use (Planned Development)(Airport Runway) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Lindau Mixed Use. 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	Hotels	C-4(AR-17)	Office
South	Transit parking	LX(PD)(AR-17)	Lindau Mixed Use
East	Electric transformer	HX-R(PD)(AR-17)	South Loop Mixed Use
West	Vacant industrial	LX(AR-17)	Lindau Mixed Use

- 2) Conformance with Current Zoning Requirements:
The Property use as a hotel is permitted in the LX zoning district. Several Planning and Zoning reviews have occurred over the years. The following zoning reviews were completed:
 - December 21, 2015 – City Council approved: 1) a major revision to the Preliminary Development Plan for a 164-room, five story hotel with hotel restaurant and banquet space, and an attached 7,400 square foot future phase restaurant/coffee shop; and 2) a Final Development Plan for a 164-room, five-story hotel with hotel restaurant and banquet space (Case 10966C-15).

PLANNING DIVISION

1800 W. OLD SHAKOPEE ROAD, BLOOMINGTON MN 55431-3027
PH 952-563-8920 FAX 952-563-8949 MN Relay 711

AN AFFIRMATIVE ACTION/EQUAL
OPPORTUNITIES EMPLOYER

- January 23, 2018 – The Acting Community Development Director approved a one-time, one-year approval extension for the final development plan for the five-story Cambria Suites hotel at 8001 28th Avenue South (Case PL2017-287).
- January 26, 2018 – The Planning Manager approved a minor revision to the Final Development Plan to increase the room count from 164 to 170, with no increase in building footprint or gross floor area (Case PL2018-13).
- January 26, 2018 – The Acting Community Development Director approved an Airport Zoning Permit to construct a five-story hotel at 8001 28th Avenue South (PL2019-13).

Provided the development is maintained as depicted in approved plans, the Property is in compliance with City Code standards. 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 21.207.02 – Lindau Mixed Use (LX) 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 21.302.03 – Accessory Dwelling Units
- Section 21.302.06 – Institutional Use Standards
- Section 21.302.09 – Multiple Family Design and Performance Standards
- Section 21.501.01 – Final Site and Building Plans
- 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 Property:

According to the City of Bloomington Public Works Division records, the Property is served by water, sanitary sewer and storm sewer. Non-City providers provide all other utilities. Please contact the appropriate provider for detailed information on other services to the Property.

4) Right to Rebuild Following Casualty:

The hotel in the LX zoning district may continue following casualty, in accordance with the performance standards at the time it is rebuilt and, if relevant, in accordance with City Code Section 21.504, Non-conformity. In the event of a 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 no open enforcement orders against the Property at this time. This statement does not mean the Property is free of violations or is in full compliance with federal, state and local applicable codes.

The City has issued lodging, food, and pool 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 a hotel is permitted under the Zoning Ordinance without 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.

6) Compliance with Subdivision Regulations:

The Property complies with subdivision regulations. The 28TH AVENUE LRT STATION plat 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 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 have no reason to believe, given the case file history described above, a Certificate of Occupancy was not properly issued. A new purchaser does not need to obtain either an original Certificate of Occupancy or an amendment to the existing Certificate of Occupancy to continue use the Property as approved.

9) Violations Outstanding or Development Related Fees Paid:

I am unaware of any active or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the Property within the past three years. There is no

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record of any pending or contemplated enforcement proceedings against the Property. This statement does not mean that the Property is free of violations or is in full compliance with federal, state and local applicable codes. All required fees have been paid in connection with the Property's development and use, including any impact-related fees, have been paid. No such fees applicable 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 2753C0476F 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 that the above information is 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,



Mike Centinario, Planner
Community Development – Planning Division