



September 14, 2021

Mr. Michael Roebuck
Ron Clark Construction and Design
7500 W 78th Street
Bloomington, MN 55439

Bloomington Hotel Ventures L.L.C.
Attn: Carl Kaeding
7900 International Drive, Suite 155
Bloomington, MN 55425

Bloomington OOOZ, LLC and/or its assign
Attn: Carl Kaeding
7900 International Drive, Suite 155
Bloomington, MN 55425

Mr. Brad Steiner
MinnWest Bank
14820 Highway 7
Minnetonka, MN 55345

Mr. Jim Erickson
First American Title Insurance Company
121 South Eighth Street, Suite 1250
Minneapolis, Minnesota 55402

Re: Property – 3701 American Blvd. E., Bloomington, MN 55425
PID# 0602723240014

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

- 1) Zoning and Comprehensive Land Use Plan Designation:
The Property is zoned HX-R(PD)(BP) High-Intensity Mixed Use with Residential (Planned Development)(Bluff Protection) is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation for the majority of the property is South Loop Mixed Use. A small portion of the property is designated Conservation – no development has been proposed in this area. The Zoning and Comprehensive Land Use Plan maps can be viewed at <https://www.bloomingtonmn.gov/plan/zoning-guide-plan-maps>.

The Property addressed 8101 36th Avenue S. is used for stormwater management and would continue to do so following redevelopment of 3701 American Blvd. E. This letter focuses on zoning verification for 3701 American Blvd. E.

The adjoining property use, zoning and Comprehensive Plan designations are:

Direction	Use	Zoning	Comprehensive Plan
North	Remote airport parking	HX-R(PD)	South Loop Mixed Use

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

South	Environmental corridor	Conservation	Conservation
East	Environmental corridor	Conservation	Conservation
West	Office, hospitality, structured parking	HX-R(PD)	South Loop Mixed Use

2) Conformance with Current Zoning Requirements:

The Property's intended use as a multiple-family apartment building is permitted in the HX-R Zoning District. Recent Planning and Zoning reviews on file include but are not limited to:

- June 22, 2020 – City Council approved Preliminary and final development plan for a 328 unit multi-phase, mixed-use development at 3701 American Blvd. E., 6 Appletree Square, and 8101 36th Avenue S. (Case PL2020-83).
- June 7, 2021 – The Planning Manager approved minor revisions to the American Square Phase I final development plans for a six-story apartment building located at 3701 American Blvd. E. (Case PL2021-90).

The applicable City Code (zoning) sections applicable include but not limited to:

- Section 19.29 –High Intensity Mixed Use with Residential (HX-R) District
- Section 19.38.01 – Planned Development (PD) Overlay District
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.208.02 – Bluff Protection (BP) Overlay 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 21.301.15 – Landscaping and screening
- Section 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.302.09 – Multiple Family Design and Performance Standards
- 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 access the City Code, go to www.code.blm.mn and use the index on the left to navigate to the desired section.

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 multiple-family apartment building in the HX-R(PD) may continue following casualty, if complying with City Code Section 21.504, Non-conformity and the applicable performance standards.

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.

5) No Further Approvals or Licenses Required:

The current use by its present owners for surface parking may continue 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 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.

In order to construct the intended six-story apartment building, building permits must first be issued. No permit applications have been submitted as of the date of this letter.

6) Compliance with Subdivision Regulations:

The Property complies with subdivision regulations. The APPLETREE SQUARE 4TH ADDITION 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) Open Permits, Known Violations or Fees Due:

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 record of any pending or contemplated enforcement proceedings against the Property.

However, this statement does not mean the Property is free of violations or is in full compliance with federal, state and local applicable codes as no performance standard review has been completed. 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.

9) 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 2753C0476F and 2753C0477F dated November 4, 2016.

This information was researched on behalf of the City of Bloomington staff as a service. The undersigned certifies 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,

A handwritten signature in black ink, appearing to read "Mike Centinario".

Mike Centinario, Planner
Community Development – Planning Division