



October 14, 2021

Planning and Zoning Resource Company
 ATTN: Julie Morrow
 1300 South Meridian Avenue, #400
 Oklahoma City, OK 73108

Re: 1801 West 80th ½ Street (Property), PID# 0402724230085
 1801 and 1901 West 80th ½ Street (Building Addresses) – District Apartments

To Julie Morrow:

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 C-5(PD) (Freeway Mixed Use (Planned Development)) and is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Community Commercial. The Zoning and Comprehensive Land Use Plan maps can be viewed at <https://www.bloomingtonmn.gov/plan/zoning-guide-plan-maps>.

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

Direction	Use	Zoning	Comprehensive Plan
North	Retail shopping center	C-3(PD and C-5(PD)	Regional Commercial
South	Vacant	C-5(PD)	Community Commercial
East	Motor vehicle sales	C-5(PD)	Regional Commercial
West	Restaurant	C-5(PD)	Community Commercial

2) Conformance with Current Zoning Requirements:

The use of the Property is two multiple-family residential apartment buildings, with a total of 248 units. The Planning and Zoning reviews on file include but are not limited to:

- 08/05/1974 – City Council approved a Preliminary and Final Plat of Hays Penn Avenue 2nd Addition (Case #6389G-74).
- 05/19/1980 – City Council approved a variance to reduce a front yard setback for a permitted structure from 65 feet to 63.2 feet (Case #8718A-80).
- 08/21/1995 – City Council approved a rezoning from B-2 to B-2(PD) and Preliminary and Final Development Plans for motor vehicle sales facility (Class I and II) (Case #8718AB-95).

- 02/05/2004 – Administrative approval of Minor Revision to Final Development Plan to reduce front landscape yard along American Boulevard West from 20 feet to 12 feet (Case #8718A-04).
- 07/15/2013 – City Council approved a rezoning from B-2(PD) to C-5(PD) (Case #10002A-13).
- 05/20/2019 – City Council approved a rezoning 8049 Morgan Circle, 1951 American Boulevard West and a portion of 1901 American boulevard West from C-5 to C-5(PD), Preliminary and Final Development Plans for two four-story multiple-family residential apartment buildings (248 units) and an existing restaurant, variance to reduce lot area from 80,000 to 78,691 square feet and lot width from 250 to 191.7 feet, Platting Variance to defer payment of park dedication fee until prior to the issuance of a building permit, and Preliminary and Final Plat (Type III) of Knox American Addition subject to conditions (Cases #PL2019-40 and #PL2018-255 – see attached decision notices).
- 07/14/2020 – Administrative approval of a Uniform Sign Design for The District Apartments (Case #PL2020-114 – see attached decision notice).

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

- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.205.05 – Freeway Mixed Use (C-5) 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 21.301.15 – Landscaping and screening
- Section 21.301.16 – Exterior Storage
- 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 21.302.09 – 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

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. All other utilities are provided by non-City providers. Please contact the appropriate provider for detailed information on other services to the property.

Documents show there are multiple wells on-site. Well #27W0018669 was 25 feet deep and sealed on August 26, 2015 by Range Environmental Drilling. Well #27W0019627 was 20 feet deep and sealed on March 14, 2018 by Bergerson-Caswell, Inc.

4) Right to Rebuild Following Casualty:

The multiple-family residential use in the Freeway Mixed Use (C-5) Zoning District may continue following casualty, if complying with City Code Section 21.504, Non-conformity and the applicable performance standards. Without a full performance standards review, it is unknown without a full review of an as-built survey and related development details. Rebuilding the Property to the legally non-conforming development level is allowed provided a permit is issued within 365 days of the casualty date. 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 Rental Housing and Fire Prevention licenses for this address. The Bloomington Environmental Health Division conducts routine inspections related to the Rental Housing licenses. Copies of the inspection reports, if needed, are available through Mark Stangenes at 952-563-8980. For questions about the Fire Prevention license, contact the Fire Prevention Division at 952-563-8930.

5) No Further Approvals or Licenses Required:

The current use by its present owners as multiple-family residential apartments 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 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 applicable subdivision regulations. On May 20, 2019, the Plat of Knox American Addition was approved and subsequently filed (Case #PL2018-255).

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:

The certificates of occupancy for the Property are attached to this letter. They were issued on June 15, 2021.

9) 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.

A review finds the following building permits remain open with unresolved inspections:

- PRROW202000297 – Permit for replacing and relocating buried Century Link facilities related to the Orange Line BRT project.

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.

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 27053C0456F 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) 563-8925 or nmjohnson@BloomingtonMN.gov for any questions.

Sincerely,



Nick Johnson, Planner
Community Development – Planning Division