



November 16, 2021
 First American Title Insurance Co.
 ATTN: Nicole Haapala
 121 S. 8th Street, Suite 1250
 Minneapolis, MN 55402

Re: Property - 5501 AMERICAN BLVD WBLOOMINGTON, MN 55437
 PID# 1611621240008

To First American Title Co:

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 RM-50(PD) High-Density Residential(Planned Development) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is High-Density Residential. 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	Apartments	C-4 Freeway Office (PD)	Office
South	Office	C-4(PD)	Office
East	Hotels	C-4(PD)	Office
West	Apartments (under construction)	RM-50(PD)	High-Density Residential

2) Conformance with Current Zoning Requirements:

The Property use as a residential care facility is conditionally-permitted in the RM-50 Zoning District. Recent Planning and Zoning reviews on file include but are not limited to:

- September 23, 2019 – City Council approved Major Revision to Final Development Plans to increase the number of units from 108 to 118 within the proposed Cherrywood Pointe Senior Housing Development and a Conditional Use Permit for a 118-Unit Residential Care Facility located at 5501 and 5601 American Boulevard West (PL201900. Documents and approved plans for this development application are available at:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=2025>

- November 23, 2020 – City Council approved major revision to final development plans and a conditional use permit for an accessory restaurant within an approved residential development (PL202000184). Documents and approved plans for this development application are available at:
<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=2311>

Considering materials and records on file, determining the level of City Code development performance standard compliance is unknown. That said, as a recent development, the City conducted numerous inspections – the development was found to be in compliance with City Code requirements. 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 must be provided. A performance standards review has a base fee of \$131 plus \$56 per hour for each hour over 2 hours.

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

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.203.08 – Multiple-Family (R-50) 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 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof Mounted Equipment
- Section 21.302.06 – Institutional Use Standards
- 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 residential care facility in the RM-50 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 and food 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 as a residential care facility has been approved by the City Council and does not require and further 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. The Jostens 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) Certificate of Occupancy:

I am unable to locate a certificate of occupancy for the Property. I have no reason to believe given the case file history described above one was not properly issued. The absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Property. 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 using the Property as originally approved.

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.

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 2753C0451F 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,



Mike Centinario, Planner
Community Development – Planning Division