



April 8, 2022

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

Re: 9721 James Avenue - PID#16-027-24-24-0029 (Property)

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 I-3, General Industrial, and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Industrial. 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	Office/warehouse	I-3	Industrial
South	Office/warehouse and pet services	I-3	Industrial
East	Office/warehouse and open storage	I-3	Industrial
West	Office/warehouse	I-2	Public and Industrial

- 2) Conformance with Current Zoning Requirements:
The Property use as an Office/Warehouse is permitted in the GENERAL INDUSTRIAL (I-3) Zoning District. The Planning and Zoning reviews on file include but are not limited to:

- August 21, 1973 – City Council approved a Preliminary and Final Plat of “Mohawk 1st Addition.” (Case 7775A-72)
- December 12, 1977 – Variances to reduce the setback along W 97th Street and Irving Avenue (Case 7775A-77)
- May 1, 1978 – City Council approved Preliminary and Final Plat for “Mohawk 2nd Addition.” (Case 8426A-78)

The property was developed at a time when Zoning review was not required. There were variances to reduce the setback on the north and east sides of the building. It is assumed the site was developed in full compliance when constructed.

Considering materials and records on file, determining the level of City Code development performance standard compliance is unknown. 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 base fee of \$135 plus \$58 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.

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 compliance is required by December 31, 2024. Therefore, this site may require upgrades to the parking lot and building entries to comply with these requirements.

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

- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.206.03 – General Industry (I-3) 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 21.501.01 – Final Site and Building Plans
- 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 (City) 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 Office/Warehouse use in the I-3 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 reviewing an as-built survey, floor plans, 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 when rebuilt.

City records show no open enforcement orders against the Property at this time. However, 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 Office/Warehouse purposes 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 it is presently being used.

6) Compliance with Subdivision Regulations:

The Property complies with the subdivision regulations with a plat of Mohawk 2nd Addition approved by the City Council on May 1, 1978, and subsequently filed. (Case 8426A-78)

7) No Application(s) Pending:

No application for rezoning, a special or conditional use permit, or variance in connection with the Property is now pending. Further, no proceeding to challenge zoning or other governmental approval or use of the Property is pending or overtly threatened to the best of my knowledge.

8) Certificate of Occupancy:

I am unable to locate a certificate of occupancy for the Property. I have no reason to believe 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.

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

- PREL201902567 – An Electrical Permit to demo and re-install the feeder (12 RTU and 12 circuits) was issued to Hunt electric on March 26, 2019. The permit is expired with no inspections requested or completed.
- PRCRF201903181 – A Roofing Permit to re-roof four roof areas was issued to John A Dalsin and Son, Inc. on April 29, 2019. The permit is expired with no inspections requested or completed.
- PRFS201903309 – A Fire Suppression Permit to repair six leaks on the six-inch main sprinkler piping by removing the existing piping and install with new grooved couplings. The existing hangers are to be reused. The permit was issued to JCI/Simplex Grinnell LP on April 17, 2019. The permit is expired with no inspections requested or completed.
- PRFS202006617 – A Fire Suppression Permit to add six new heads onto the existing system to support the underside of three new staircases was issued to Summit Fire Protection on June 26, 2020. The permit is expired with no inspections requested or completed

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 designates the Property as Zone X on Panel Number 2753C0458F dated November 4, 2016.

This information was researched by City staff as a service. The undersigned certifies that the above information is accurate based on the information supplied for this zoning verification and the information on file with the City. 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) 563-8928 or tramlrolson@BloomingtonMN.gov with questions.

Sincerely,



Thomas Ramler-Olson, Planner
Community Development – Planning Division