



June 27, 2022

Ms. Belma Bellis Hidalgo Acevedo
First American Title Insurance Company
121 South 8th Street, Suite 1250
Minneapolis, MN 55402

Re: Properties: 2051 Killebrew Drive, Bloomington, MN 55425 (Office Building)
PID# 0102724330007
2101 Killebrew Drive, Bloomington, MN 55425 (Surface Parking Lot)
PID # 0102724340060

Ms. Hidalgo Acevedo:

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 Properties are zoned C-4(PD) Freeway Office(Planned Development) and are subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designations are Office. 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	Mall of America	CX-2(PD)	High-Intensity Mixed Use
South	Multiple-Family Residential	RM-24(PD) & R-4(PD)	High-Density Residential
East	Hospitality	C-4(PD)	Office
West	Hospitality	C-4(PD)	Office

- 2) Conformance with Current Zoning Requirements:
The Property uses as Office Building and surface parking serving the office use is permitted in the C-4 Freeway Office Zoning District. Apart from telecommunications approvals, there is one recent Planning and Zoning review:

- January 6, 2020 – City Council approved a conditional use permit for an online school (Case PL2019-218).

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. These properties likely require significant upgrades to the parking lot and building entries to comply with these requirements.

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

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.205.04 – Freeway Office (C-4) 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 21.302.02 – Residential Uses in Commercial Zones
- 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 Properties:

According to the City of Bloomington (City) Public Works Division records, the Properties are 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 Properties.

4) Right to Rebuild Following Casualty:

The office and surface parking to serve the office development are permitted in C-4 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 Properties 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 Properties currently. However, this statement does not mean the Properties are free of violations or fully complies with federal, state, and local applicable codes.

5) No Further Approvals or Licenses Required:

The current use by its present owners for office and parking 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 acquiring the Properties or before the Properties may continue to be used in the manner it is presently being used.

6) Compliance with Subdivision Regulations:

2051 Killebrew complies with applicable subdivision regulations or is otherwise exempt. The M C M I 2ND ADDITION plat was approved and subsequently filed. 2101 Killebrew Drive is an Outlot – development cannot occur on 2101 Killebrew Drive until the property is platted to convert the Outlot to Lot and Block status.

7) No Application(s) Pending:

No application for rezoning, a special or conditional use permit, or variance in connection with the Properties is now pending. Further, no proceeding to challenge zoning or other governmental approval or use of the Properties are 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 Properties. I have no reason to believe that one was not properly issued. The absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Properties. 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 Properties as initially 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 Properties within the past three years. There is no record of any pending or contemplated enforcement proceedings against the Properties. There are no open enforcement orders against the Properties currently.

However, this statement does not mean the Properties are free of violations or fully complies 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 Properties' development and use, including any impact-related fees, have been paid. No such fees applicable to the Properties are otherwise pending or known.

A review finds the following expired building permits for 2051 Killebrew Drive with unresolved inspections within the last two years:

- PREL202111382 – Electrical permit for generator – no inspections were completed.
- PRBD202100518 – Building permit for telecommunications work – no inspections were completed.
- PRAL202009047 – Fire alarm permit for ADA compliance – no inspections were completed.
- PRMH202005976 – Mechanical/HVAC permit for IT room fan – no inspections were completed.

10) Flood Zone Designation:

The Properties are not located in a Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City designates the Properties as Zone X on Panel Number 2753C0476F 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 data was obtained from public records, which may be inspected during regular business hours.

Please contact me at (952) 563-8921 or mcentinario@BloomingtonMN.gov with questions.

Sincerely,



Mike Centinario, Planner
Community Development – Planning Division