



June 15, 2022

Mr. Brett Fisher
Commercial Partners Title
200 South 6th Street, Suite 1300
Minneapolis, MN 55402

Re: Property – 8200 Humboldt Avenue S., Bloomington, MN 55431
PID# 0402724310032

Mr. Fisher:

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 uses, zoning, and Comprehensive Plan designations are:

Direction	Use	Zoning	Comprehensive Plan
North	Office	C-4	Office
South	Single-Family Residential	R-1	Low-Density Residential
East	Interstate 35W	N/A	N/A
West	Single-Family Residential	R-1	Low-Density Residential

2) Conformance with Current Zoning Requirements:

The Property use as an office building is a legally non-conforming use in the RM-50 Multiple-Family Residential Zoning District. The site is intended to be redeveloped into a multiple-family residential development. The corresponding Planning and Zoning review:

- February 28, 2022 – The City Council approved a Comprehensive Plan Map Amendment to change the land use guide plan designation from Office to High-Density Residential; Rezone from B-1 Office to RM-50(PD) Multiple-Family Residential(Planned Development); and Preliminary and Final Development Plans for a four-story, 149-unit apartment building (Case PL202100257)

The Planning application materials are available by following the link below. A building permit for the redevelopment has recently been submitted. That building permit is under review.

<https://permits.bloomingtonmn.gov/ProdPortal/Planning/Status?planningId=2617>

The applicable City Code (zoning) sections applicable to multiple-family residential development include, 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 21.203.08 – 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 21.302.09 – 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 (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 use in the RM-50(PD) Zoning District may continue following casualty if complying with City Code Section 21.504, Non-conformity, and the applicable performance standards. Without 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 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 purposes is legally non-conforming. I am not aware of any other permit or license required by this jurisdiction a purchaser must obtain before acquiring 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 applicable subdivision regulations or is otherwise exempt. The INLAND PARK plat was approved and subsequently filed.
- 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 – the redevelopment at 8200 Humboldt has been approved by the City Council. 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; given the case file history described above, that 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 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 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 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 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.
- 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 2753C0456F 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