



October 4, 2022

Partner ESI
Kimberly Larino
222 Bloomingdale Rd
White Plains, NY 10605

Re: Property - 8001 Bloomington Freeway, PID# 04-027-24-13-0052

To Ms. Larino:

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, Industrial and R-1, Single Family Residential and is 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	Auto body shop and parking	I-3	Industrial
South	Office and single family dwellings	B-1 and R-1	Office and Low Density Residential
East	Office/warehouse and single family residential	I-3 and R-1	Industrial and Low Density Residential
West	I-35W and Auto dealership	C-4	Regional Commercial

2) Conformance with Current Zoning Requirements:

The Property use as an office, warehouse, research and development lab and low impact, high technology manufacturing are permitted uses in the I-3 Zoning District. The southern portion zoned R-1 is used for parking and is legally non-conforming. In 2020, a review was conducted of the interior spaces and confirmed the parking requirements were in compliance. The Planning and Zoning reviews on file include but are not limited to:

- The original building (approximately 100,000 square feet on the west side of the Property) was constructed in 1963. A variance was granted to construct the building on a

parcel not described by lot/block description. (Case 4425A-63) (Platting of the Property was approved in 1985. The variance is no longer required or applicable).

- A second addition of approximately 20,000 square feet was added in 1967. This was on the east side of the original building. (Case 4125A-67).
- January 17, 1983 – The City Council approved a Preliminary and Final Plat of Control Data addition. (Case 6291A-82) NOTE: Plat was not filed and approval expired.
- August 19, 1985 – The City Council approved a Preliminary and Final Plat of Control Data addition. (Case 6291A-85)
- January 16, 2001 – The City Council approved a variance for a third addition. This was an entry vestibule on the south side of the original building. A variance reduced the required setback from 35 feet to 25 feet for the entry.
- August 19, 2013 – The City Council adopted variances to reduce the required setback along the west property line for a parking lot expansion. (Case 6291AB-13)
- June 22, 2018 – Administrative minor revision to final site and building plans to install a delivery door on the east side of the building. (PL201800199).

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.

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

- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.203.01 – Single Family Residential (R-1) District
- 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 21.301.14 – Tree preservation
- 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, research and development lab and low impact, high technology manufacturing in the I-3 Zoning District and parking in the R-1 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 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, warehouse, research and development lab and low impact, high technology manufacturing 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 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 with a Plat of CONTROL DATA ADDITION approved in 1985 and subsequently filed. (Case 6291A-85)

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; 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.

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

- PRBD201803194 – Construct salvage room, relocate training room, expand locker room – expired due to no inspections were completed.
- PRBD201910504 – Remove two gang toilet rooms with three fixtures each and replacing with four single user toilets plus a wellness room – expired due to no inspections completed.
- PRFS201808501 - Add/relocate/install (14) pendant sprinkler heads to conform to new wall/ceiling layout. – expired due to no inspections completed.
- PRFS202001765 - Off existing system Relocate (6) Add (2) sprinkler heads for new walls in remodel area. Existing heads are quick response chrome pendent any added heads to match. No change in density. – expired due to no inspections completed.
- PRMH201814397 - INSTALL (1) 4-TON RTU ON EXISTING ROOF CURB WITH DUCTWORK AND DIFFUSERS FOR A SPACE REMODEL. – expired due to no inspections completed.
- PRPL201912086 - Receive permits and inspections as needed, Demo and cap existing plumbing, Mark floor for concrete work by other, Install new waste, vent and water pipe as needed, Install and supply fixtures for plumbing below, 4 restrooms each consisting of, One American Standard wall hung toilet with auto sensor flush valve, One Delta single handle lav with mixing valve, One American Standard Lucerne wall hung sink with grid strainer and trap wrap, One set of ADA grab bars, One 2 inch floor drain, One set of ADA hi low drinking fountains with one bottle filler, One SS drop in sink with 2 handle American Standard Colony faucet with goose neck spout, One Bradford White 6 gallon water heater in ceiling as per meeting – expired due to no inspections completed.

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.

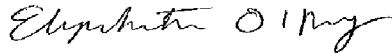
10) Flood Zone Designation:

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) 563-8919 or eoday@BloomingtonMN.gov with questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elizabeth O'Day".

Elizabeth O'Day, Planner
Community Development – Planning Division