



October 3, 2022

Commercial Partners Title, LLC
ATTN: Michelle Zerfas
200 S. Sixth Street #1300
Minneapolis, MN 55402

Re: Basic Zoning Letter for 10140 Lyndale Avenue S (Property), PID# 1602724440049
CP File No. CP70877

To Michelle Zerfas:

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 R-4, Multiple Family Residential, 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	Multiple family residential	R-4	High-Density Residential
South	Two-family and multiple-family residential	R-1 and R-4	Medium and High-Density Residential
East	Mobile home park, Single and multiple family residential	R-4 and R-1	Medium and High-Density Residential
West	Interstate I-35	NA	NA

- 2) Conformance with Current Zoning Requirements:
The Property use as a 50-unit townhome development is permitted in the R-4 Zoning District. The Planning and Zoning reviews on file include but are not limited to:
 - December 8, 1980 – City Council approved variance to reduce the building setback from a public street from 50 to 40 feet and the landscaped yard along I-35W frontage road from 20 to 5 feet and final site plan and building plans for 50 townhouse units in seven structures with conditions. (Case 8794BDE-80)

- April 23, 2007 - City Council approved the revised final site plan and building plans for site improvements, building renovations, and new community center with conditions. (Case 8794A-07)
- November 6, 2007 – Administrative approval to convert an existing garage into an accessory structure. (Case 8794B-07)

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 no building-related plans are on file.

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

- Section 19.63.01 – Exterior Materials
- Section 19.113 – Signs
- Section 21.203.05 – Multiple-Family (R-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 21.301.16 – Exterior Storage
- Section 21.301.17 – Refuse Handling and Storage
- Section 21.302.09 – Multiple-Family Design and Performance Standards
- 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 townhome development in the R-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 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. The City has issued rental licenses for this address. The Bloomington Environmental Health Division conducts routine inspections related to these licenses. If needed, copies of the inspection reports are available through Mark Stangenes at 952-563-8980.

5) No Further Approvals or Licenses Required:

The current use by its owners for 50-unit townhouse 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 the applicable subdivision regulations with a Plat of SOUTHWOOD PARK 2ND ADDITION 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. 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 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 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 data was obtained from public records, which may be inspected during regular business hours.

Please contact me with questions at (952) 563-8926 or lpease@bloomingtonmn.gov.

Sincerely,



Londell Pease, Senior Planner
Community Development – Planning Division