



October 20, 2022

Global Zoning
ATTN: Julie Luther
8205 NW 69th Street
Oklahoma, City, OK 73132

Re: Basic Zoning letter - 5701, 5705, 5715, and 5735 West Old Shakopee Road (Property)
PID# 3311621330008

To Julie Luther:

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 IP (PD) Industrial Park (Planned Development) 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	Single Family Residential	R-1	Low-Density Residential
South	Industrial Flex Building	IP (PD)	Industrial, Public
East	Industrial Flex Building	IP (PD)	Industrial
West	Industrial Flex Building	IP (PD)	Industrial

- 2) Conformance with Current Zoning Requirements:
The Property use as Industrial Flex Building is permitted in the IP (PD) Industrial Park (Planned Development) Zoning District. The Planning and Zoning reviews on file include but are not limited to:

- April 1, 1996 – City Council approved final site and building plans for an industrial building at 5701 and 5715 West Old Shakopee Road, subject to conditions. (Case 4999A-96)
- May 16, 2000 – City Council approved a resolution for a negative declaration on the Environmental Assessment Worksheet for a proposed office/warehouse development. (Case 4999A-00)

- June 19, 2000 – City Council approved Rezoning from IP and R-1 (PD) to IP (PD), Preliminary and Final Development Plan for an office and warehouse development, a variance for reduced minimum lot size, and Preliminary and Final Plat for West Bloomington Technology Park. (Case #4999BCDE-00).
- August 7, 2000 – City Council approved a major revision to Final Development Plans for a 72,160 square foot office/warehouse building with conditions. (Case #4999F-00)
- September 5, 2000 – City Council approved a preliminary and final plat of WEST BLOOMINGTON TECHNOLOGY PARK with conditions. (Case 4999G-00)
- July 7, 2003 – City Council approved a change of condition to Case #4999F-00 related to site occupancy. (Case #4999A-03).

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 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 21.206.04 – Industrial Park (IP) 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 21.301.15 – Landscaping and screening
- Section 21.501.01 – Final Site and Building Plans
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- 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 and warehouse use in the IP (PD) Industrial Park (Planned Development) 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 owners for office and 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 that 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. On September 28, 2000, a Plat of WEST BLOOMINGTON TECHNOLOGY PARK 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. 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. Given the case file history described above, 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 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.

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

- PRPL201901679 – A Plumbing Permit to complete an RPZ Rebuild at 5715 building was issued to Egan Company on February 28, 2019. No inspections were requested or completed, and the permit has expired.
- PRFS201913587 – A Fire Suppression Permit to remove an existing sheet metal heat collector in the Pearson electrical room 5715 building was issued to Gilbert Mechanical Contractors on November 7, 2019. No inspections were requested or completed, and the permit has expired.
- PREL201914707 - - An Electrical Permit for a new 38 KW rooftop generator at the 5735 building was issued to Hunt Electric Company on December 6, 2019. No inspections were requested or completed, and the permit has expired.
- PREL202204071 - An Electrical Permit to complete office modifications for KWS Seed at the 5705 building was issued to Hunt Electric Corporation on April 20, 2022. No inspections were requested or completed, and the permit has expired.
- PREL202111262 – An Electrical Permit to install new outlets in the breakroom at the 5705 building was issued to Fraser Electric Company on August 25, 2021. No inspections were requested or completed, and the permit has expired.

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 2753C0461F, 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 952-563-8961 or dnavarro@BloomingtonMN.gov.

Sincerely,



Derly Navarro, Planning Technician

Community Development – Planning Division