



December 30, 2022

Partner ESI
ATTN: Lauren Mayer
611 Industrial Way West, Suite A
Eatontown, NJ 07724

Re: Basic Zoning letter for 8001 Bloomington Freeway (Property) - PID# 0402724130052
Partner ESI Project # 22-394981.2

To Lauren Mayer:

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. The Single Family Residential District is a small triangle along the south of the Property where parking and required screening from the residential properties exist. The Property is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation 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 dwellings	I-3 and R-1	Industrial and Low-Density Residential
West	I-35W and auto sales	C-4	Regional Commercial

2) Conformance with Current Zoning Requirements:

The Property use as an office, warehouse, research\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. However, in 2020, a review of the interior spaces confirmed that the parking requirements complied. The Planning and Zoning reviews on file include but are not limited to the following:

- The original building (approximately 100,000 square feet on the west side of the Property) was constructed in 1963. A variance was granted to build 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 \$139 plus \$59.75 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 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- Section 21.203.01 – Single Family Residential (R-1) District
- Section 21.206.03 – General Industry (I-3) District
- Section 21.208.01 – Flood Hazard (FH) 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 21.301.18 – Screening of Roof-Mounted Equipment
- Section 21.501.01 – Final Site and Building Plans
- Section 21.504 – Nonconformity

NOTE: Access the City Code at www.code.blm.mn and use the index on the left to navigate.

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/development lab, and low-impact high-technology manufacturing uses in the I-3 Zoning District and the parking as legally non-conforming in the R-1 Zoning District may continue following casualty if complying with the previously approved plans, City Code Section 21.504, Non-conformity, and the applicable performance standards. Without a full performance standards review, it is unknown what non-conformity may exist. Rebuilding the Property to the legal non-conforming development level is allowed, provided a permit is issued within 365 days of a 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 and subsequently filed. (Case 6291A-85)

7) No Application(s) Pending:

No application for rezoning, special or conditional use permit or variance in connection with the Property is pending. Further, to the best of my knowledge, no proceeding challenging zoning or other governmental approval or Property use is pending or overtly threatened.

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.

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.

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

- PRBD201803194 – Building permit to construct a salvage room, relocate training room, expand locker room. A partial pass framing inspection was completed. No Fire, structural or building final inspections were requested or completed. The permit has expired.
- PRBD201910504 – Building permit to remove two gang toilet rooms with three fixtures each and replace them with four single-user toilets plus a wellness room. All inspections except the building final inspection were completed. The building final inspection was not requested, and the permit has expired.
- PRFS201808501 – Fire suppression permit to add/relocate/install (14) pendant sprinkler heads to conform to the new wall/ceiling layout. The permit has expired due to no inspections requested or completed.
- PRFS202001765 - Fire suppression permit for off the existing system: relocate six (6) and add two (2) sprinkler heads for new walls in the remodel area. Existing heads are quick-response chrome pendants and added heads to match. No change in density. A rough-in inspection passed. The permit expired due to no final inspection requested or completed.
- PRMH201814397 – Mechanical permit to install one 4-ton RTU on the existing roof curb with ductwork and diffusers for a space remodel. – expired due to no inspections requested or completed.

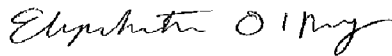
10) Flood Zone Designation:

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 with questions at (952) 563-8919 or ecoday@BloomingtonMN.gov.

Sincerely,

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

Elizabeth O'Day, Planner
Community Development – Planning Division