



**BLOOMINGTON**  
MINNESOTA

February 1, 2023

Global Zoning  
Ashlee Turner  
8205 NW 69th Street  
Oklahoma City, OK 73132

Re: Property - 10801 Nesbitt Avenue S, Bloomington, MN 55437, PID# 3311621330004

To Ms. Turner:

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 INDUSTRIAL PARK (IP) 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    | R-1    | Medium Density Residential |
| South and West | Offices          | IP     | Industrial                 |
| East           | Office/warehouse | IP(PD) | Industrial                 |

2) Conformance with Current Zoning Requirements:

The Property use as office/warehouse is a permitted use in the Industrial Park (IP) Zoning District. The Planning and Zoning reviews on file include but are not limited to the following:

- October 7, 1985 — A Preliminary and Final Plat of CDR 1" Addition at 5801 and 5901 West Old Shakopee Road. (Case 9249A-85).
- March 26, 1987 — Variances to allow more than visitor parking on north and reduce parking setback on Nesbitt Avenue (Case 9395AB-97).
- March 5, 1998 — Ordinance to amend Section 19.61.01 and reduce the required 500-foot setback from an arterial street to 200 feet if the intervening property is developed with

office or warehousing (Case 10000B-98); Rezone property from Industrial Park IP to Industrial Park (Planned Development) IP (PD) (Case 9395B-98) and Preliminary and Final Development Plans for an office/warehouse and self-storage facility development (Case 9395C-98) Application denied.

- September 23, 1999 — Final Site and Building Plan for an office warehouse building (Case 9395A-99).
- July 12, 2001 — Rezone a portion of 10800 and 10801 Nesbitt Avenue and 6101, 6301 West Old Shakopee Road from R-1 to IP (Case 10002A-01).
- June 7, 2012 — Administratively approved a Final Site and Building Plan application for parking changes and modifications to the exterior building elevation by replacing two existing windows with loading docks (Case 9395A-12).

In 1996, the City Council approved a parking lot and security lighting ordinance, which required full compliance with the City Code at a future date. Currently, City Code compliance is required by December 31, 2024. This site may require significant upgrades to the parking lot and building entry's to comply with these requirements.

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 21.206.04 – 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 21.301.05 – Drive Through Facilities
- 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 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.501.04 – Conditional Use Permit
- Section 21.504 – Nonconformity

**NOTE:** Access the City Code at [www.code.blm.mn](http://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 use in the INDUSTRIAL PARK (IP) 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 what non-conformities 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.

There are open enforcement orders for the Property. To summarize, there are semi-trailers stored in required parking spaces. Please contact Mike Thissen at 952-563-8981 for more information.

5) No Further Approvals or Licenses Required:

The current use by its owners for office/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 October 7, 1985, a Plat of CDR 1st Addition was approved and subsequently filed. (Case 9249A-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, no proceeding challenging zoning or other governmental approval or Property use 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:

Please see section 4) above for information regarding the open enforcement order for the Property.

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

- PRBD202109945— Tenant Improvement. Existing Tenant. No change in use of space. Installation of security vestibule— no final inspection was completed.
- PREL202107874 - WIRED NEW FRONT ENTRY SIGN —no inspections were 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.

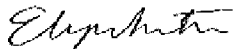
10) Flood Zone Designation:

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 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 952-563-8919 or [eoday@BloomingtonMN.gov](mailto:eoday@BloomingtonMN.gov).

Sincerely,



Elizabeth O'Day, Planner  
Community Development - Planning Division