



March 2, 2023

Mr. Michael Roebuck
Ron Clark Construction and Design
7500 W 78th Street
Bloomington, MN 55439

Re: Property – 3701 American Blvd. E., Bloomington, MN 55425
PID: 0602723240014

Mr. Roebuck:

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 HX-R(PD)(BP) High Intensity Mixed Use (Planned Development)(Bluff Protection)Planned Development (PD) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is South Loop Mixed Use. 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	Remote airport parking	HX-R(PD)	South Loop Mixed Use
South	Environmental corridor	SC Conservation (BP)	Conservation
East	Environmental corridor	SC Conservation (BP)	Conservation
West	Structured and surface parking	HX-R(PD)(BP)	South Loop Mixed Use

2) Conformance with Current Zoning Requirements:

The Property's intended use as an apartment building is permitted in the HX-R Zoning District. Recent Planning and Zoning reviews on file include but are not limited to the following:

- June 6, 2020 – City Council approved preliminary development plans for 328-unit, multi-phase planned development and final development plans for a 242-unit apartment building at 3701 American Blvd. E. (Case PL2020-83).

City staff will conduct inspections to determine City Code compliance. Provided the development is completed in accordance with approved plans it will be compliant with City Code. The applicable City Code (zoning) sections relevant, including but not limited to:

- Section 19.29 –High-Intensity Mixed Use with Residential (HX-R) District

PLANNING DIVISION

1800 W. OLD SHAKOPEE ROAD, BLOOMINGTON MN 55431-3027
PH 952-563-8920 FAX 952-563-8949 MN Relay 711

AN AFFIRMATIVE ACTION/EQUAL
OPPORTUNITIES EMPLOYER

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- Section 21.208.02 – Bluff Protection (BP) 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 21.301.17 – Refuse Handling and Storage
- Section 21.301.18 – Screening of Roof-Mounted Equipment
- Section 21.302.09 – Multiple-Family Design and Performance Standards
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- Section 21.501.04 – Conditional Use Permit

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 forthcoming apartment building use in the HX-R Zoning District may continue following casualty if complying with City Code Section 21.504, Non-conformity, and the applicable performance standards. Without 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 currently. However, this statement does not mean the Property is free of violations or fully complies with federal, state, and local applicable codes.

The City must issue a rental license prior to occupancy. 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 intended use by its owners for multiple-family purposes is permitted under the Zoning Ordinance without any rezoning, special exceptions, use permit, variance, or other approval.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations or is otherwise exempt. The APPLETREE SQUARE 4TH ADDITION was approved and subsequently filed.

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:

Given the site is under construction, there is no Certificate of Occupancy. The absence of a Certificate of Occupancy would not give rise to any enforcement action affecting the Property.

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 Numbers 2753C0476F and 2753C0477F 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. However, 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) 563-8921 or mcentinario@BloomingtonMN.gov.

Sincerely,



Mike Centinario, Planner
Community Development – Planning Division