



June 10, 2024

Julie Givens
465 Nicollet Mall, Suite 230
Minneapolis, MN 55401

Re: Property - 700 American Blvd West, Bloomington, MN 55420, PID# 0402724110034
REVISED TO INCLUDE SETBACK AND PARKING INFORMATION

To Julie Givens:

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 High Density Residential, (Planned Development) RM-100 (PD) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Regional Commercial. 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	REI	C-3	Regional Commercial
South	Hotel	FD-2(PD)	Office
East	Goodwill	B-2	Regional Commercial
West	Credit union	B-2(PD)	Regional Commercial

- 2) Conformance with Current Zoning Requirements:
The Property use as multiple family residential with 1,500 square feet of commercial space is a permitted use in the RM-100 zoning district. The Planning and Zoning reviews on file include but are not limited to the following:

- December 18, 2023 – City Council approved a rezoning from B-2 to RM-100(PD) and Preliminary and Final Development Plans for a five-story, 128-unit senior apartment building and 1,500 square feet of commercial space. Planning Application #PL2023-178.
<https://permits.bloomingtonmn.gov/prodportal/Planning/Status?planningId=3075>

The property is an area with an adopted District Plan. The property is in the Lyndale Avenue Retrofit Plan area. Please click the link below to view the plan document.

<https://www.bloomingtonmn.gov/plan/lyndale-avenue-retrofit>

The required structure setbacks for the RM-100 zoning districts are as follows (Section 21.301.02):

- Along streets - 10 feet or the width of the required easement
- Rear yard - 20 feet
- Side yard – 10 feet plus 0.25 feet for each foot over 30 feet

The structure is 36 feet from the property line along American Boulevard and 35.5 feet from the property line along Lyndale Avenue. The structure is 44 feet from the rear property line. The structure meets the required setbacks along streets and from the rear property line. The required setback from the side property line is 18.25 feet where 11 feet has been provided. The applicant has requested flexibility through the planned development process for the non-compliant side yard setback. Flexibility for the non-compliant was approved.

With 128 units of senior apartments, the total Code requirement is 192 spaces. Assuming the commercial tenant space is a retail sale, the parking requirement is 8 spaces for the 1,500 square foot commercial space. A total of 200 spaces are required without the OHO reduction. After the Opportunity Housing Ordinance (OHO) reduction, a total of 153.6 spaces are required. For a total of 162 spaces for the development. The applicant is proposing 118 underground spaces with 47 surface parking spaces for a total of 165 spaces. After the OHO incentive has been applied, the parking supply is compliant with City Code.

Considering materials and records on file, determining the City Code development performance standard compliance level is unknown. To complete an in-depth performance standards review, plans must be provided, including but not limited to as-built surveys, floor plans, use details, or other information. 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 relevant, including but not limited to:

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.57.01 – Steep Slopes
- Section 19.63.08 – Exterior Materials and Finish
- 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 21.302.09 – Multiple-Family Design and Performance Standards
- Section 21.304.01 - Signs
- 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 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 residential apartment building and commercial space in the RM-100(PD) 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-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 owners for residential apartment building and commercial space purposes is permitted under the Zoning Ordinance without any rezoning, special exceptions, use permit, variance, or other approval. I am unaware of any other permit or license required by this jurisdiction that a purchaser must obtain before acquiring the Property or before it may continue to be used in the manner it is presently being used.

A search for any pending special assessments has not been completed. Information and contacts for assessments are online at <https://www.bloomingtonmn.gov/eng/pending-assessments>.

6) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations or is otherwise exempt. On November 21, 2005, a Plat of REI BLOOMINGTON ADDITION was approved and subsequently filed. (Case 10717A-07).

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 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.

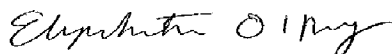
10) Flood Zone Designation:

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 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. 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) 563-8919 or eoday@BloomingtonMN.gov.

Sincerely,



Elizabeth O'Day, Planner
Community Development – Planning Division