



August 29, 2024

Commercial Partners Title
Julie Young
800 LaSalle Avenue, Suite 2100
Minneapolis, MN 55402

Re: Property - 6701 West 78th Street, Bloomington, MN 55439
PID# 1711621210004

To Julie Young:

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 Freeway Office, (Flood Hazard)(Planned Development), C-4(FH)(PD) and subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is Office. 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 and two-family residential (City of Edina)	R-1 and PRD-3	
South	Interstate Highway 494	N/A	N/A
East	Office	C-4	Office
West	Office and Nine Mile Creek	C-4 and C-4 (FH)	Office

2) Conformance with Current Zoning Requirements:

The Property use as a 208-unit apartment building is a permitted use in the C-4 Zoning District. The property use as a detached daycare is a conditional use in the C-4 zoning district. The Planning and Zoning reviews on file include but are not limited to the following:

- January 3, 2017 – Environmental Review Documents.
<https://permits.bloomingtonmn.gov/prodportal/Planning/Status?planningId=1279>
- July 23, 2018 – Approved a Rezoning from C-4(FH) to C-4(PD(FH)), Conditional Use Permit for a residential care facility and Preliminary and Final Development Plans for a four-story, 186-unit residential care and senior living facility with a 100-person daycare. (Case PL2018-191). NOTE: Approvals expired.

<https://permits.bloomingtonmn.gov/prodportal/Planning/StatusReference?referenceNumber=PL201800191>

- January 24, 2019 – Approved a Shore Area Permit related to senior living project.
<https://permits.bloomingtonmn.gov/prodportal/Planning/StatusReference?referenceNumber=PL201800403>
- July 21, 2020 – Approved an Extension request of Final Development Plan approval deadline from July 23, 2020 to July 23, 2021.
<https://permits.bloomingtonmn.gov/prodportal/Planning/StatusReference?referenceNumber=PL202000117>
- December 4, 2023 – Approved a Privately initiated City Code Amendment to change daycares from limited uses to conditional uses in the C-4 Zoning District. (Case PL2023-166).
<https://permits.bloomingtonmn.gov/prodportal/Planning/Status?planningId=3063>
- February 12, 2024 – Approved a Preliminary and Final Development Plan for a five-story, 208-unit apartment building and detached 11,000 square foot day care facility and conditional use permit for an 11,000 square foot day care facility. (Case PL2023-193).
<https://permits.bloomingtonmn.gov/prodportal/Planning/StatusReference?referenceNumber=PL202300193>
- April 15, 2024 – Approved a Preliminary and Final Plat to subdivide one lot into two lots. (Case PL2024-26).
<https://permits.bloomingtonmn.gov/prodportal/Planning/StatusReference?referenceNumber=PL202400026>

There is a building permit for construction of the apartment building only. The permit has not been issued at the time of this letter.

The applicable City Code (zoning) sections relevant, including but not limited to:

- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.08 – Exterior Materials and Finish
- Section 21.205.04 – Freeway Office (C-4) 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 21.302.09 – Multiple-Family Design and Performance Standards
- Section 21.302.27 – Day Care 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:

The Property is served by water, sanitary sewer, and storm sewer by City of Edina. 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 multi-family residential and daycare uses in the C-4 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.

To accommodate the anticipated multi-family apartment building, the City will need to issue rental licenses prior to occupancy of the building. The Bloomington Environmental Health Division conducts routine inspected related to these licenses. If needed, copies of the inspection reports are available through Mark Stangenes at 952-563-8980.

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

5) Compliance with Subdivision Regulations:

The Property complies with applicable subdivision regulations. On April 15, 2024, a Plat of NINE MILE WEST 4TH ADDITION was approved. (Case PL2024-26).

6) 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.

7) 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.

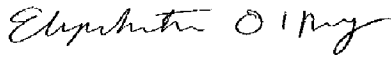
8) Flood Zone Designation:

The Property is located in a Flood Hazard Overlay Zoning District. The Flood Insurance Rate Map (FIRM) for the City designates the Property as Zone A and Zone X on Panel Number 2753C0451F 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,

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

Elizabeth O'Day, Planner
Community Development – Planning Division