



April 30, 2024

Diana Montgomery
PO Box 469
Necedah, WI 54646

Re: Property – IndiGO, 8001 33rd Avenue South, Bloomington, MN 55425, PID# 0602723230646,

To Diana Montgomery:

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 Intensity Mixed Use with Residential (HX-R)** with a **Planned Development (PD) Overlay**. The property is subject to the applicable Bloomington City Code performance standards. The Comprehensive Plan Land Use Plan designation is **South Loop Mixed Use (SLMU)**. 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	Airport park and ride	HX-R	SLMU
South	Multi-family apartments	HX-R(PD)	SLMU
East	Offices and hotel	HX-R(PD)	SLMU
West	Hotel	HX-R(PD)	SLMU

2) Conformance with Current Zoning Requirements:

The Property use as multi-family residential is a permitted use in the HX-R Zoning District and the PD Overlay. The following zoning reviews were completed:

- December 2, 2013 – City Council approved a major revision of the Preliminary Development Plan at 8001 33rd Avenue South, a Final Development Plan for a 420 unit, six-story apartment building, approved the preliminary plat and adopted a resolution granting approval of the final plat of BLOOMINGTON CENTRAL STATION 4TH ADDITION (Case 2830FGHI-13).

Staff do not have reason to believe the building was not constructed as approved in the aforementioned zoning review.

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

- Section 19.29 –High-Intensity Mixed Use with Residential (HX-R) District
- Section 19.38.01 – Planned Development (PD) Overlay Districts
- Section 19.63.01 – Exterior Materials and Finish
- Section 19.113 – Signs
- 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 21.302.09 – Multiple-Family Design and Performance Standards
- Section 21.501.02 – Preliminary Development Plan
- Section 21.501.03 – Final Development Plan
- 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 multi-family residential use in the HX-R Zoning District and PD Overlay 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.

The City has issued rental and pool licenses for this address. 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 current use by its owners for multi-family residential 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 December 2, 2013, a Plat of BLOOMINGTON CENTRAL STATION 4TH ADDN, was approved and subsequently filed. (Case 2830HI-13)

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:

A Certificate of Occupancy for the Property was issued in 2016. There is no reason to believe it was improperly issued. 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. A new Certificate of Occupancy is required when there is a change of use.

If a copy of the Certificate of Occupancy is needed, you can contact Building and Inspections Division at inspections@bloomingtonmn.gov.

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. There is no record of pending or contemplated enforcement proceedings against the Property. There are 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, 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 2753C0476F 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) 563-8926 or dcrowell@bloomingtonmn.gov.

Sincerely,

A handwritten signature in cursive script that reads "Dakota Crowell".

Dakota Crowell, Planner
Community Development – Planning Division