ACTION OF THE CITY OF DULUTH PLANNING COMMISSION

Date: May 24, 2012

Applicant: Mark Lambert
Village Center Development LLC & Bluestone Commons LLC

Location: Woodland School Site (201 Clover Street)

Planning Commission File Number:
PL 12-013 (R-P Plan). Related to PL 12-012
(Rezoning to R-P)

Proposal Requested:

Applicant has submitted a Residential-Planned Regulating Plan for the property to be rezoned to the R-P Zone District.

The rezoning for the above matter came for hearing before the City of Duluth Planning Commission ("Commission") on Tuesday, March 27, 2012, notice of said hearing having been given to all interested parties in accordance with Section 50-37.10 of the Duluth Legislative Code. The applicants appeared and presented their request to the Commission. The Commission also received a report from Planning Division Staff. All other parties interested in the matter were given an opportunity to be heard.

The above matter than went before the City Council on April 9, 2012 and April 23, 2012; the City Council approved the rezoning as recommended by the Planning Commission.

Upon review of the Residential-Planned Regulating Plan, the findings and conclusions:

Conclusions:

A. The request is in harmony with the purposes and intent of the UDC.
B. The request is consistent with the comprehensive plan.
C. The request will allow reasonable use of the land.

Resolved: The request for a R-P Regulating Plan is approved with the following conditions;

1) The project be limited to, constructed, and maintained according to documents as to the Revised Regulating Plan Documentation Submitted on March 9, 2012, except as modified by: R-P Zoning and Regulating Plan Map L100 created January 24, 2012 and Received May 8, 2012; Phase 1R (West), 3R (West) and 3R (North) Elevations created May 7, 2012 and Received May 8, 2012; R-P Zoning and Regulating Plan Map L400 Snow Storage created January 24, 2012, and Supplemental Information Sections 50-14.7 (g 3, 4, and 10) Received March 19, 2012.

2) The applicant obtain all required City, State, and Federal permits and approvals for the project.

3) Applicant submit revised information that is approved by the Land Use Supervisor that shows:
-schematics indicating typical detail for trails and sidewalks in this development;
-fence or similar method to visually separate the four single family lots from the area set aside for tree preservation
-tree canopy coverage and internal landscaping percentage for each parking lot. Unless otherwise approved, all parking surfaces must meet the standards for landscaping in the UDC.

4) The applicant must apply for and receive an Interim Use Permit/Special Use Permit from the Duluth City Council before using the property in a way as identified as an special use and/or interim use in the Regulating Plan

5) Any other alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

Decided at Duluth, Minnesota, on May 24th, 2012.

BY ORDER OF THE CITY PLANNING LAND USE SUPERVISOR

Keith Hamre, Interim Planning Manager

c: City Engineering Division
Building Safety Division
Todd Carlson, Utility Operations, Garfield

Attachments (note, complete file found on record)

- Landscape Plan L100, May 8, 2012
- Proposed RP Rezoning Map, March 7, 2012
- RP Text for 50-14.7(G)(2)-Setbacks
- RP Text for 50-14.7(G)(6)-Uses
- Phase 1R (West), 3R (West) and 3R (North) Elevations created May 7, 2012
REGULATING PLAN
50-14.7(G)(2)

UDC Section 50-14.7(G)(2) states that the applicant shall include the following information in the regulating plan:

"Lot sizes, widths, and building setbacks for all proposed development parcels."

Tract #

A.
1. Height: 75 Feet
2. Lot Size: 2.25 acres/ 97,804 sqft.
3. Width along Elizabeth Street: 429.8 Feet
4. Building Setback:
   i. Front Yard: Elizabeth (N) 20 Feet
   ii. Side Yard: (W) 20 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (S) 0 Feet

B.
1. Height: 75 Feet
2. Lot Size: .72 Acres/ 31,505 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: (SE) 20 Feet
   ii. Side Yard: (NE) 0 Feet
   iii. Side Yard: (SW) 0 Feet
   iv. Rear Yard: (NW) 0 Feet

C.
1. Height: 75 Feet
2. Lot Size: 1.70 Acres/ 73,919 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: (S) 20 Feet
   ii. Side Yard: (W) 0 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (N) 20 Feet
D.
1. Height: 75 Feet
2. Lot Size: 1.51 Acres/ 65,830 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: (S) 20 Feet
   ii. Side Yard: (W) 0 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (N) 0 Feet

E.
1. Height: 75 Feet
2. Lot Size: .88 Acres/ 38,170 sqft.
3. Width along Woodland Avenue: 178.5 Feet
4. Building Setback:
   i. Front Yard: (Woodland Ave. – W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet

F.
1. Height: 75 Feet
2. Lot Size: .72 Acres/ 31,256 sqft.
3. Width along Woodland Avenue: 215.6 Feet
4. Building Setback:
   i. Front Yard: (Woodland Ave.- W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet

G.
1. Height: 75 Feet
2. Lot Size: .52 Acres/ 22,831 sqft.
3. Width along Woodland Avenue: 134.7 Feet
4. Building Setback:
   i. Front Yard: (Woodland Ave.- W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet
H.
1. Height: 75 Feet
2. Lot Size: .55 Acres/24,174 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: (N) 0 Feet
   ii. Side Yard: (W) 0 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (S) 0 Feet

I.
1. Height: 75 Feet
2. Lot Size: .53 Acres/22,931 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: (N) 0 Feet
   ii. Side Yard: (W) 0 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (S) 0 Feet

J.
1. Height: 75 Feet
2. Lot Size: .77 Acres/33,377 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: (W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet

K.
1. Height: 75 Feet
2. Lot Size: .56 Acres/24,361 sqft.
3. Width along Woodland Avenue: 149.1 Feet
4. Building Setback:
   i. Front Yard: (Woodland-W) 0 Feet
   ii. Side Yard: (S) 0 Feet
   iii. Side Yard (N) 0 Feet
   iv. Rear Yard: (E) 0 Feet
L.
1. Height: 75 Feet
2. Lot Size: .30 Acres/ 13,249 sqft.
3. Width along Woodland Avenue: 81.6 Feet
4. Building Setback:
   i. Front Yard: (Woodland-W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet

M.
1. Height: 75 Feet
2. Lot Size: .33 Acres/ 14,311 sqft.
3. Width along Woodland Avenue: 83 Feet
4. Building Setback:
   i. Front Yard: (Woodland-W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet

N.
1. Height: 75 Feet
2. Lot Size: .64 Acres/ 27,944 sqft.
3. Width along Woodland Avenue: 154.6 Feet
4. Building Setback:
   i. Front Yard: (Woodland-W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet

O.
1. Height: 75 Feet
2. Lot Size: .32 Acres/ 13,856 sqft.
3. Width: (Woodland) 77 Feet / (Clover) 182.3 Feet
4. Building Setback:
   i. Front Yard: (Woodland-W) 0 Feet
   ii. Side Yard: (N) 0 Feet
   iii. Side Yard: (S) 0 Feet
   iv. Rear Yard: (E) 0 Feet
P.
1. Height: 75 Feet
2. Lot Size: 1.49 Acres/ 64,717 sqft.
3. Width along Clover Street: 157.6 Feet
4. Building Setback:
   i. Front Yard: (Clover-S) 20 Feet
   ii. Side Yard: (W) 0 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (N) 0 Feet

Q.
1. Height: 75 Feet
2. Lot Size: 2.40 Acres/ 104,420 sqft.
3. Width: (Clover) 114 Feet / (E. 8th Street) 298.8 Feet
4. Building Setback:
   i. Front Yard: (Clover) 20 Feet / (E 8th Street) 20 Feet
   ii. Side Yard: (W) 0 Feet
   iii. Side Yard: (E) 0 Feet
   iv. Rear Yard: (N) 0 Feet

R.
1. Height: 75 Feet
2. Lot Size: 1.69 Acres/ 73,786 sqft.
3. Width along Clover Street: 304.8 Feet
4. Building Setback:
   i. Front Yard: (SE) 20 Feet
   ii. Side Yard: (SW) 0 Feet
   iii. Side Yard: (NE) 0 Feet
   iv. Rear Yard: (NW) 0 Feet

S. (Tree Preservation Area)
1. Height: 0 Feet
2. Lot Size: 2.99 Acres/ 130,050 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
   i. Front Yard: None
   ii. Side Yard: None
   iii. Side Yard: None
   iv. Rear Yard: None
T.
1. Height: 35 Feet
2. Lot Size: .28 Acres/ 12,109 sqft.
3. Width along East 8th Street: 116.7 Feet
4. Building Setback:
   i. Front Yard: (SE) 20 Feet
   ii. Side Yard: (NE) 10 Feet
   iii. Side Yard: (SW) 10 Feet
   iv. Rear Yard: (NW) 20 Feet

U.
1. Height: 35 Feet
2. Lot Size: .33 Acres/ 14,304 sqft.
3. Width along East 8th Street: 116.5 Feet
4. Building Setback:
   i. Front Yard: (SE) 20 Feet
   ii. Side Yard: (NE) 10 Feet
   iii. Side Yard: (SW) 10 Feet
   iv. Rear Yard: (NW) 20 Feet

V.
1. Height: 35 Feet
2. Lot Size: .34 Acres/ 14,999 sqft.
3. Width along East 8th Street: 116.6 Feet
4. Building Setback:
   i. Front Yard: (SE) 20 Feet
   ii. Side Yard: (NE) 10 Feet
   iii. Side Yard: (SW) 10 Feet
   iv. Rear Yard: (NW) 20 Feet

W.
1. Height: 35 Feet
2. Lot Size: .40 Acres/ 17,500 sqft.
3. Width along East 8th Street: 116.5 Feet
4. Building Setback:
   i. Front Yard: (SE) 20 Feet
   ii. Side Yard: (NE) 10 Feet
   iii. Side Yard: (SW) 10 Feet
   iv. Rear Yard: (NW) 20 Feet
REGULATING PLAN

50-14.7(G)(6)

UDC Section 50-14.7(G) (6) states that the applicant shall include the following information in the regulating plan:

“6. Permitted and special uses for the site, which shall be consistent with those shown on Table 50-19.8”

Due to changing market conditions and the expected duration of the development timeline, the applicant is unable to predict the exact uses within the development site. The applicant proposes that the uses stated below be approved within the proposed development tracts (as indicated on Exhibit RP-1A). Items marked with “*” denote uses that are not currently approved as “Permitted Uses” within RP Zoning.

Tract Letter

A.

a. Dwelling Multifamily
b. University or college *
c. Retail Store Not Listed, Small
d. Dwelling, Townhouse
e. Residential Care Facility/ Assisted Living (7 or more)
f. Rooming House (Dorm/ Live-Learn)
g. Accessory recycling collection point
h. Accessory Sidewalk Dining Area
i. Accessory Solar or Geothermal Power Equipment
j. Accessory Minor Utility and accessory wireless antennas attached to existing structure
k. Temporary construction office or yard
l. Temporary real estate sales office (rental leasing)

B.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

C.
a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

D.
a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

E.
a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)
F.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage *
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

G.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage *
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

H.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

I.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

J.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

K.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

L.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic
e. Office
f. Offices; Bank*
g. Personal Service, small
h. Retail Store Not Listed, Small
i. Restaurant (no drive-in/ drive-through)
j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)
l. Vehicle related; Automobile and light vehicle sales, rental or storage*
m. Accessory recycling collection point
n. Accessory Sidewalk Dining Area
o. Accessory Solar or Geothermal Power Equipment
p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
q. Accessory uses and structures not listed elsewhere
r. Temporary construction office or yard
s. Temporary real estate sales office (rental leasing)

M.

a. Dwelling Multifamily
b. Grocery Store, Small
c. Hotel or Motel
d. Medical or Dental clinic

e. Office

f. Offices; Bank*

g. Personal Service, small

h. Retail Store Not Listed, Small

i. Restaurant (no drive-in/ drive-through)

j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)

l. Vehicle related; Automobile and light vehicle sales, rental or storage*

m. Accessory recycling collection point

n. Accessory Sidewalk Dining Area

o. Accessory Solar or Geothermal Power Equipment

p. Accessory Minor Utility and accessory wireless antennas attached to existing structure

q. Accessory uses and structures not listed elsewhere

r. Temporary construction office or yard

s. Temporary real estate sales office (rental leasing)

N.

a. Dwelling Multifamily

b. Grocery Store, Small

c. Hotel or Motel

d. Medical or Dental clinic

e. Office

f. Offices; Bank*

g. Personal Service, small

h. Retail Store Not Listed, Small

i. Restaurant (no drive-in/ drive-through)

j. Retail Store Not Listed; Large *
k. Rooming House (Dorm/ Live-Learn)

l. Vehicle related; Automobile and light vehicle sales, rental or storage*

m. Accessory recycling collection point

n. Accessory Sidewalk Dining Area

o. Accessory Solar or Geothermal Power Equipment

p. Accessory Minor Utility and accessory wireless antennas attached to existing structure

q. Accessory uses and structures not listed elsewhere

r. Temporary construction office or yard

s. Temporary real estate sales office (rental leasing)
O.
  a. Dwelling Multifamily
  b. Grocery Store, Small
  c. Hotel or Motel
  d. Medical or Dental clinic
  e. Office
  f. Offices; Bank*
  g. Personal Service, small
  h. Retail Store Not Listed, Small
  i. Restaurant (no drive-in/ drive-through)
  j. Retail Store Not Listed; Large *
  k. Rooming House (Dorm/ Live-Learn)
  l. Vehicle related; Automobile and light vehicle sales, rental or storage*
  m. Accessory recycling collection point
  n. Accessory Sidewalk Dining Area
  o. Accessory Solar or Geothermal Power Equipment
  p. Accessory Minor Utility and accessory wireless antennas attached to existing structure
  q. Accessory uses and structures not listed elsewhere
  r. Temporary construction office or yard
  s. Temporary real estate sales office (rental leasing)

P.
  a. School, middle or high (until June, 2013)
  b. Daycare facility, large (15 or more)
  c. Dwelling Multifamily
  d. Food Beverage, and Indoor Entertainment; Theater*
  e. Grocery Store, Small
  f. Medical or Dental clinic
  g. Office
  h. Offices; Bank*
  i. Parking Lot or Parking Structure (Primary Use) *
  j. Personal Service, small
  k. Personal Services and repair, Large *
  l. Rooming House (Dorm/ Live-Learn)
  m. Retail Store Not Listed; Large *
  n. Retail Store Not Listed, Small
  o. Restaurant (no drive-in/ drive-through)
  p. Theater
  q. University or college *
r. Vehicle related; Automobile and light vehicle sales, rental or storage*
s. Accessory day care facility
t. Accessory Solar or Geothermal Power Equipment
u. Accessory Sidewalk Dining Area
v. Accessory uses and structures not listed elsewhere
w. Accessory recycling collection point
x. Accessory Minor Utility and accessory wireless antennas attached to existing structure

y. Temporary real estate sales office (rental leasing)
z. Temporary construction office or yard
aa. Temporary moveable storage container

Q.

a. School, middle or high (until June, 2013)
b. Daycare facility, large (15 or more)
c. Dwelling Multifamily
d. Food Beverage, and Indoor Entertainment; Theater*
e. Grocery Store, Small
f. Medical or Dental clinic
g. Office
h. Offices; Bank*
i. Parking Lot or Parking Structure (Primary Use) *
j. Personal Service, small
k. Personal Services and repair, Large *
l. Rooming House (Dorm/ Live-Learn)
m. Retail Store Not Listed; Large *
n. Retail Store Not Listed, Small
o. Restaurant (no drive-in/ drive-through)
p. Theater
q. University or college *
r. Vehicle related; Automobile and light vehicle sales, rental or storage*
s. Accessory day care facility
t. Accessory Solar or Geothermal Power Equipment
u. Accessory Sidewalk Dining Area
v. Accessory uses and structures not listed elsewhere
w. Accessory recycling collection point
x. Accessory Minor Utility and accessory wireless antennas attached to existing structure

y. Temporary real estate sales office (rental leasing)
z. Temporary construction office or yard
aa. Temporary moveable storage container

R.

a. School, middle or high (until June, 2013)
b. Daycare facility, large (15 or more)
c. Dwelling Multifamily
d. Food Beverage, and Indoor Entertainment; Theater*
e. Grocery Store, Small
f. Medical or Dental clinic
g. Office
h. Offices; Bank*
i. Parking Lot or Parking Structure (Primary Use) *
j. Personal Service, small
k. Personal Services and repair, Large *
l. Rooming House (Dorm/ Live-Learn)
m. Retail Store Not Listed; Large *
n. Retail Store Not Listed, Small
o. Restaurant (no drive-in/ drive-through)
p. Theater
q. University or college *
r. Vehicle related; Automobile and light vehicle sales, rental or storage*
s. Accessory day care facility
t. Accessory Solar or Geothermal Power Equipment
u. Accessory Sidewalk Dining Area
v. Accessory uses and structures not listed elsewhere
w. Accessory recycling collection point
x. Accessory Minor Utility and accessory wireless antennas attached to existing structure
y. Temporary real estate sales office (rental leasing)
z. Temporary construction office or yard
aa. Temporary moveable storage container

S.

a. None

T.

a. Dwelling, One Family
b. Dwelling, Two-Family
c. Dwelling, Townhouse
d. Accessory recycling collection point
e. Accessory Solar or Geothermal Power Equipment
f. Accessory uses and structures not listed elsewhere

U.

a. Dwelling, One Family
b. Dwelling, Two-Family
c. Dwelling, Townhouse
d. Accessory recycling collection point
e. Accessory Solar or Geothermal Power Equipment
f. Accessory uses and structures not listed elsewhere

V.

a. Dwelling, One Family
b. Dwelling, Two-Family
c. Dwelling, Townhouse
d. Accessory recycling collection point
e. Accessory Solar or Geothermal Power Equipment
f. Accessory uses and structures not listed elsewhere

W.

a. Dwelling, One Family
b. Dwelling, Two-Family
c. Dwelling, Townhouse
d. Accessory recycling collection point
e. Accessory Solar or Geothermal Power Equipment
f. Accessory uses and structures not listed elsewhere
Woodland Middle School

Regulating Plan

Applicants: BlueStone Commons, LLC, Village Center Development, LLC, Woodland Commons, LLC

Supplemental Information: Regulating Plan Sections 50-14.7(g) (3), (4) and (10)

Visitors to the property would possess an implied license to enter onto the privately owned land in order to use and enjoy the shops, restaurants, and common open space (trails, sidewalks, bicycle areas and parking areas).

In the case of the private roads within the community, the roads would be maintained by the owner, but the city would possess a public access and utility easement over and under Summit Street.

With respect to sidewalks, trails, bike lanes and open space within the development, the public would have access to reasonable use of those thoroughfares. Members of the public would only lose the right to utilize those thoroughfares if they committed acts which are deemed unlawful, or unreasonably disturbed, harassed or offended other members of the public, the management, or the tenants of either the retail or residential buildings.
First Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, LLC
Village Center Development, LLC
Woodland Commons, LLC

8-27-2012

1. Purpose

This amendment relates to temporary signage erected for the benefit of leasing and construction activities at the 22 acre BlueStone site as defined in the Regulating Plan, approved May 24th, 2012 (formerly the Woodland Middle School, the vacant land, and single family houses along Woodland Avenue) (collectively known as the “BlueStone Site”).

2. Sign Locations

BlueStone Commons, LLC, Village Center Development, LLC and Woodland Commons, LLC, together with their agents, affiliates, assignees and successors (the “Applicants”) may erect temporary signage throughout the BlueStone Site (“Temporary Signage”).

3. Setback

Temporary Signage may be erected on a BlueStone Site parcel at setback equal to the lot setback for that development parcel as defined in the Regulating Plan (Approved May 24th, 2012).

4. Size

Each sign discussed herein shall be no more than 6 feet tall x 10 feet wide.

5. Period of Use

Temporary Signage may remain at the BlueStone Site during periods of leasing and/or construction activities.

6. Permit

No permit shall be required to erect Temporary Signage within the BlueStone Site.
BlueStone Commons, LLC

By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC

By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC

By: Mark W. Lambert
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

Keith Hamre, Interim Planning Manager
Second Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, LLC
Village Center Development, LLC
Woodland Commons, LLC

12-21-2012

1. Purpose

This amendment relates to a change in the building elevation, bedroom and unit count, and parking requirements of Phase 1R of the BlueStone Development ("BlueStone Lofts").

2. Building Size

Per the attached Building Permit Set (dated 12/7/2012, and attached as Exhibit A), the BlueStone Lofts will no longer contain five stories of housing with two levels of underground parking. BlueStone Lofts will now be comprised of a four story building with one level of underground parking. The building will contain 99 units, 293 bedrooms and 363 beds. This change was made in consultation with industry and market experts and will aid in the success of building leasing.

3. Parking

BlueStone Lofts will continue to utilize the ".56 per bedroom" parking requirement approved under the Regulating Plan. However, due to a decrease in the number of bedrooms at BlueStone Lofts, the total number of parking spaces will also decrease.

Per the attached Parking Map (attached as Exhibit B), BlueStone Lofts will now provide 91 underground parking stalls on one level of underground parking. Additionally, BlueStone Lofts will provide 81 surface parking spaces along the exterior of the building site. The total number of parking spaces required under the parking ratio of .56 per bedroom is 166 stalls. At this time, it is estimated that BlueStone Lofts will possess 172 parking spaces.

4. Minor Alterations Due to Field Design

The final number of constructed parking spaces at BlueStone Lofts may increase or decrease due to "field design" completed in consultation between the BlueStone Lofts owner, architect, civil engineer and general contractor. Regardless of any de minimus increase or decrease in final parking counts, BlueStone Lofts will abide by the ".56 per bedroom" parking requirement approved under the Regulating Plan, and will notify the City Planning Department following any final adjustments. The applicants shall possess the ability, following the field design process, to
designate and execute cross-easements for parking between individual tracts contained within the master BlueStone Site in order to meet and/or exceed the "0.56 per bedroom" parking requirement approved under the Regulating Plan.

BlueStone Commons, LLC

[Signature]
By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC

[Signature]
By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC

[Signature]
By: Mark W. Lambert
Its: Chief Manager

By order of the Land Use Supervisor

[Signature]
Chuck Froseth, Land Use Supervisor
Third Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, L.L.C
Village Center Development, LLC
Woodland Commons, LLC

June 19, 2013

1. Purpose

This amendment relates to the depiction of Tracts E, F, G, K, and L contained within the 22.25 acre BlueStone site plan (the “Site Plan”) contained within the Regulating Plan, approved May 24th, 2012 (formerly the Woodland Middle School, the vacant land, and single family houses along Woodland Avenue) (collectively known as the “BlueStone Site”), and amended on 8-27-2012 relating to temporary signage (“First Amendment”) and again on 12-21-2012 relating to an amended site plan (“Second Amendment”).

Following leasing discussions with third party retailers and changing market conditions, the BlueStone Site Plan has been modified and updated. These changes include the temporary removal of the northernmost retail building located along Woodland Avenue from the Site Plan and its designation as “Future Retail”, and the joining of the two retail buildings located at the southeast intersection of Summit Street and Woodland Avenue, all as generally depicted and highlighted in red on the attached Exhibit A.

Additionally, after discussions between the City of Duluth Planning Department and the Applicants, it has been determined that the Permitted Use Table governing RP Zoning Districts contained within the Duluth Unified Development Chapter, and incorporated within the approved Regulating Plan for the BlueStone Site, does not sufficiently address the Applicants’ proposed use of “Coffee Drive-Thru”.

In order for the Applicants to proceed with the leasing of phase 1 of the BlueStone Site retail center, Shops at BlueStone, the City of Duluth and the Applicants therefore seek to clarify the permitted uses allowed under the Applicants’ Regulating Plan.

2. Amendment of Regulating Plan: Site Plan

With respect to Tracts E, F, G, K and L, the approved Site Plan contained within the Applicants’ Regulating Plan is hereby amended to include the attached Exhibit A.

3. Amendment to the Regulating Plan: Permitted Use Statement.

The Permitted Use Statement contained within Section 6 of the BlueStone Commons Regulating Plan shall state “Coffee Drive-Thru” as a permitted use for Tracts K and L of the BlueStone Site.

4. Minor Alterations Due to Field Design

Unless amended further, the BlueStone Site will be constructed in accordance with the Site Plan. The final design of the BlueStone Site will be completed after consultation between the BlueStone Lofts owner, architect, civil engineer and general contractor, and may contain de minimis adjustments due to field design. The Applicants shall notify the City Planning Department following any final de minimis adjustments. Changes constituting significant variation from the new Site Plan shall be approved in writing by the Land Use Supervisor.
5. Authority.

These alterations do not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

BlueStone Commons, LLC, a Minnesota Limited liability company

By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

Charles Frosen, Land Use Supervisor

Keith Hamre, Director of Planning and Construction Services
Fourth Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, LLC
Village Center Development, LLC
Woodland Commons, LLC

June 5, 2014

1. Purpose
This amendment is for purposes of updating the BlueStone Regulating Plan approved May 24, 2012, amended by that certain First Amendment dated August 27, 2012, that certain Second Amendment dated December 21, 2012 and that certain Third Amendment dated June 19, 2013, and as ratified by City of Duluth Ordinance No. 10271 dated December 16, 2013 (collectively, the “Regulating Plan”) to incorporate completed phases and updated site plans.

The Applicant has completed construction of those phases identified in the phasing plan attached to the Regulating Plan as Phase 1R (BlueStone Lofts) and Phases 3C and 4C (Shops at BlueStone) and is proceeding to completion of construction of those phases identified as Phases 1C and 2C (Shops at BlueStone II/Tavern on the Hill). In connection with the completion of these Phases, the Applicant has obtained or caused to be obtained all necessary permits or other approvals from the City of Duluth, and the City and the Applicant now wish to incorporate the updated site, as-built, lighting and landscaping plans into the Regulating Plan.

2. Amendment to the Regulating Plan – Phasing Site Plans
The following attachments shall supplement and update the original phasing and site plans included in the Regulating Plan for the referenced Phases:

   Exhibit A – Phase 1R (BlueStone Lofts) final ALTA survey and site plan
   Exhibit B – Phases 1C and 2C (Shops at BlueStone II/Tavern on the Hill) permitted site plan
   Exhibit C – Phases 3C and 4C (Shops at BlueStone) final site plan

3. Amendment to the Regulating Plan – Lighting and Landscaping Plans
The following attachments shall replace their original counterparts included in the Regulating Plans:

   Exhibit D – Lighting plans and drawings
   Exhibit E – Landscaping plans

4. Authority.
These alterations do not alter major elements of the approved Regulating Plan and do not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

[Signatures on the Following Page]
BlueStone Commons, LLC, a Minnesota Limited liability company

By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

Charles Froseth, Land Use Supervisor

Keith Hamre, Director of Planning and Construction Services
Fifth Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, LLC
Village Center Development, LLC
Woodland Commons, LLC

September 30, 2014

1. Purpose
This amendment is for purpose of modifying the BlueStone Regulating Plan approved May 24, 2012, amended by that certain First Amendment dated August 27, 2012, that certain Second Amendment dated December 21, 2012, that certain Third Amendment dated June 19, 2013, and as ratified by City of Duluth Ordinance No. 10271 dated December 16, 2013 and that certain Fourth Amendment Dated August 29, 2014, (collectively, the “Regulating Plan”) to modify the setback requirements of Tract A, RLS 114, St. Louis County, Minnesota.

The Applicant has initiated the final design of Phase 2R of the Regulating Plan. In connection with the completion of this Phase, the Applicant has obtained or will cause to be obtained all necessary permits or other approvals from the City of Duluth, and the City and the Applicant now wishes to modify a single setback requirement of the Regulating Plan.

2. Amendment to the Regulating Plan – Tract A Building Setback
The Building Setback for the Side Yard (W) of Tract A, RLS 114, St. Louis County, Minnesota shall be amended as follows:

Tract A:...
  4. Building Setback:...
    ii. Side Yard: (W) 0 feet

3. Authority.
This alteration does not alter major elements of the approved Regulating Plan and does not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

[Signatures on the Following Page]
BlueStone Commons, LLC, a Minnesota Limited liability company

By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

Charles Froseth, Land Use Supervisor

Keith Hamre, Director of Planning and Construction Services
Sixth Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, LLC
Village Center Development, LLC
Woodland Commons, LLC

October 3, 2014

1. Purpose
This amendment is for the purpose of updating the BlueStone Regulating Plan approved May 24, 2012, amended by that certain First Amendment dated August 27, 2012, that certain Second Amendment dated December 21, 2012, that certain Third Amendment dated June 19, 2013, that certain Fourth Amendment dated June 5, 2014 and that certain Fifth Amendment dated September 30, 2014, and as ratified by City of Duluth Ordinance No. 10271 dated December 16, 2013 (collectively, the “Regulating Plan”) to incorporate completed phases and updated site plans.

The Applicant proposed construction of the phase identified in the phasing plan attached to the Regulating Plan as Phase 5C (Shops at BlueStone III). In connection with the start of this Phase, the Applicant now wishes to incorporate an updated site, lighting and landscaping plan for said Phase 5C into the Regulating Plan.

2. Amendment to the Regulating Plan – Phasing Site Plans
The following attachments shall supplement and update the original phasing and site plans included in the Regulating Plan for the referenced Phases:

   Exhibit A – Phase 5C (Shops at BlueStone III) site plan

3. Amendment to the Regulating Plan – Lighting Plan, Landscaping Plan, and Underground Storm Water Plan
The following attachments shall replace their original counterparts included in the Regulating Plans:

   Exhibit B – Lighting plans and drawing for Phase 5C (Shops at BlueStone III)
   Exhibit C – Landscaping plan for Phase 5C (Shops at BlueStone III)
   Exhibit D – Update underground storm water plan for Phase 5C (Shops at BlueStone III)
4. Authority
The alterations do not alter major elements of the approved Regulating Plan and do not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

BlueStone Commons, LLC, a Minnesota Limited liability company

By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

Charles Froseth, Land Use Supervisor

Keith Hamre, Director of Planning and Construction Services
Specifications

GENERAL DESCRIPTION

The GranVille II LED Utility is designed for ease of maintenance with the plug-in electrical module common to each of the luminaires in Holophane's Utility Luminaire Series. The traditional acorn shaped luminaire, while reminiscent of the 1920's, contains a precision optical system that maximizes pole spacings while maintaining uniform illumination.

OPTICAL SYSTEM

The optical system consists of a precisely molded thermal resistant borosilicate glass refractor and top reflector mounted within the decorative aluminum housing. The glass top reflector redirects over 50% of the upward light into the controlling refractor while allowing a soft uplight component to define the traditional acorn shape of the luminaire. Two decorative aluminum covers are available. The lower refractor uses precisely molded prisms to maximize pole spacings while maintaining uniform illumination. Two refractors are available, designed for I.E.S. type III and V distributions. Lunar optics shielding is available for asymmetric and symmetric distribution.

LUMINAIRE HOUSING

The luminaire housing, cast of aluminum, provides an enclosure for the plug-in electrical module. Four uniquely designed stainless steel spring clips enclosed in a clear polyvinyl chloride sleeve and adjusted by hex head 1/4-20 bolts securely cradle the prismatic glass refractor. The same 1/4-20 bolts support the decorative rib and banding assembly. The slipfitter will accept a 3" by 2-7/8" to 3-1/8" O.D. tenon.

LUMINAIRE HOUSING / DOOR

Cast of aluminum, the housing opens with minimum use of tools and is retained on a hinge. For units with an E.E.I.-N.E.M.A. twist lock photocell receptacle, the housing contains a "window" to allow light to reach the cell.

ELECTRICAL MODULE

The electrical components are mounted on an aluminum plate that is removable with minimum use of tools. A matching five conductor plug connects to the receptacle in the luminaire housing to complete the wiring. For photoelectric operation, the electrical module is provided with an E.E.I.-N.E.M.A. twist lock photocell receptacle.

FINISH

The luminaire is finished with polyester powder paint to insure maximum durability.

WARRANTY

Limited warranty located at www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

NOTE

Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +10% / -10% at operating temperature. 60W 347-480V version wattage may differ by +14% / -14% at operating temperature. Specification subject to change without notice.
PHILADELPHIA Series
Crossarms & Wall Bracket

SPECIFICATIONS

CONSTRUCTION
The crossarms and wall brackets shall be one-piece construction. For wall brackets the arms shall be welded to a flat wall plate. All welding shall be per ANSI/AWS D1.2-90. All welders shall be certified per ANSI/AWS D1.2-90 Section 5.

MATERIALS
The crossarms and crossarm finials shall be heavy wall, cast aluminum produced from certified ASTM 356.1 ingot per ASTM B-179-95a or ASTM B26-95. The center luminaire extension piece, and wall bracket mounting plate shall be aluminum, ASTM 6061 alloy, heat treated to a T6 temper. All hardware shall be stainless steel. All exterior hardware shall be tamper resistant.

INSTALLATION
The crossarms shall slip-fit a post top tenon and attach with socket set screws. The center finial shall be removable. The wall bracket shall have four 9/16" dia. holes for mounting to the wall. (Bracket mounting hardware furnished by others.) Both crossarms and wall bracket shall have 3" O.D. tenons for luminaire mounting.

For finish specifications and color options see "Finish" section in catalog.

ORDERING GUIDE

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Material / Finish
- CA/BK: Cast Alum/Black
- CA/DB: Cast Alum/Dark Bronze
- CA/DG: Cast Alum/Dark Green
- CA/PP: Cast Alum/Prime Painted
- CA/CC: Cast Alum/Custon Color
### Specifications

**Description**
The lighting post shall be all aluminum, one-piece construction, with a classic tapered and fluted base design.

**Materials**
The base and fluted tapered cast shaft shall be heavy wall, cast aluminum produced from certified ASTM 356.1 ingot per ASTM B-179-96a or ASTM B26-96. The straight shafts shall be extruded from aluminum, ASTM 6061 alloy, heat treated to a T6 temper. The tapered shaft shall be extruded from aluminum, ASTM 6063 alloy, spun to a tapered shape, then heat treated to a T6 temper. All hardware shall be tamper resistant stainless steel. Anchor bolts to be completely hot dip galvanized.

**Construction**
The shaft shall be double welded to the base casting and shipped as one piece for maximum structural integrity. The shaft shall be welded inside the base casting at the top of the access door, and externally where the shaft exits the base. All welding shall be per ANSI/AWS dimensions.

**Installation**
The post shall be X-XX in height with a 17" or 19" diameter base. The shaft diameter shall be XX". At the top of the post, an integral tenon with a transitional donut shall be provided for luminaire mounting.

**Accessories**
The post shall be provided with four, hot dip galvanized L-type anchor bolts. A door shall be provided in the base for anchorage and wiring access. A grounding screw shall be provided inside the base opposite the door.

### Ordering Information:

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**Options**
- EXDD = Provision for eye bolt.
- LDOXY = Large provision.
- RXXXX = Receptacle provision.
- SDOXY = Small provision.
- FOD = GFI receptacle in base.
Seventh Amendment to the Regulating Plan (Approved May 24th, 2012)

BlueStone Commons, LLC
Village Center Development, LLC
Woodland Commons, LLC

March 18, 2015

1. Purpose
This amendment is for the purpose of updating the BlueStone Regulating Plan approved May 24, 2012, amended by that certain First Amendment dated August 27, 2012, that certain Second Amendment dated December 21, 2012, that certain Third Amendment dated June 19, 2013, that certain Fourth Amendment dated June 5, 2014 and that certain Fifth Amendment dated September 30, 2014, that certain Sixth Amendment dated October 3, 2014, and as ratified by City of Duluth Ordinance No. 10271 dated December 16, 2013 (collectively, the “Regulating Plan”) to incorporate completed phases and updated site plans.

The Applicant proposed construction of the phase identified in the phasing plan attached to the Regulating Plan as Phase 2R (BlueStone Flats). In connection with the start of this Phase, the Applicant now wishes to incorporate updated site, lighting, landscaping and underground storm water plans for said Phase 2R into the Regulating Plan and to replace all references of BlueStone Lofts II to BlueStone Flats.

2. Amendment to the Regulating Plan – Phasing Site Plans
The following attachments shall supplement and update the original phasing and site plans included in the Regulating Plan for the referenced Phases:

   Exhibit A – Phase 2R (BlueStone Flats) site plan

3. Amendment to the Regulating Plan – Lighting Plan, Landscaping Plan, and Underground Storm Water Plan
The following attachments shall replace their original counterparts included in the Regulating Plans:

   Exhibit B – Lighting plans and drawing for Phase 2R (BlueStone Flats)
   Exhibit C – Landscaping plan for Phase 2R (BlueStone Flats)
   Exhibit D – Update underground storm water plan for Phase 2R (BlueStone Flats)

4. Amendment to the Regulating Plan – Name Change

All references to “BlueStone Lofts II, LLC.” are changed to “BlueStone Flats, LLC.”
All references to “BlueStone Lofts II” are changed to “BlueStone Flats”
5. Authority
The alterations do not alter major elements of the approved Regulating Plan and do not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

BlueStone Commons, LLC, a Minnesota Limited liability company

By: Mark W. Lambert
Its: Chief Manager

Village Center Development, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

Woodland Commons, LLC, a Minnesota limited liability company

By: Mark W. Lambert
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

Charles Froseth, Land Use Supervisor

Keith Hamre, Director of Planning and Construction Services
EXHIBIT A
Phase 2R (BlueStone Flats)
Site Plan
REDEVELOPMENT THROUGH PHASE 4 (LOFTS 2)

DRAINAGE REPORT
DULUTH, MINNESOTA

SEH No. BLUST 120765

DECEMBER 30, 2014
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Figure 2 Existing Conditions Drainage Map
Redevelopment Through Phase 4 (Lofts 2)
Drainage Report

Prepared for BlueStone Commons LLC

1.0 Introduction
The proposed BlueStone Commons Development consists of commercial buildings, multi-unit housing, streets, trails, and parking areas located north of Clover Street between Woodland Avenue and East 8th Street. The development will create a friendly environment for students to live, work, and shop. The project was broken into multiple phases with hydrologic studies currently completed for:

- Overall Development Reports (7/17/13, 8/8/13, 10/16/14)
- Phase 1, Lofts 1 & Retail Phase 2 (7/10/12)
- Phase 2, Retail Phase 1 (10/28/13)
- Phase 3, Retail Phase 3 (10/16/14)

The information provided within this Drainage Report includes a summary of existing conditions and redevelopment through Phase 4, herein known as Lofts 2, located in the northeast section of the development.

2.0 Project Narrative
Construction of the overall proposed BlueStone Commons Development will require the removal of seven existing residential homes and an existing school building. Approximately 40% of the existing wooded area will be preserved and overall drainage patterns of the site will be retained. Runoff will be treated and detained on-site through the use of underground facilities, filtration basins, and other BMPs, as necessary, to meet requirements.

The Lofts 2 portion of the development will consist of a new building, the connection of Summit Street to Elizabeth Street, the addition of parking along Elizabeth Street, and various pathways and trails. Additionally, the Lofts 2 portion of the development will include a rock trench which will serve as an infiltration element for stormwater treatment.

3.0 Pre and Post-Redevelopment Conditions
The existing and proposed conditions were analyzed using HydroCAD and WinSLAMM software. Models will be submitted to the City upon request. A summary of the results through Phase 4 are provided within this report.

3.1 Pre-Redevelopment Conditions:
The pre-redeveloped site includes a school, residential homes, open green space, and undeveloped wooded areas. The site soils include Barto-Greysolon-Rock outcrop complex, Urban land-Cultre-Rock outcrop complex, and bedrock. The site slopes to the southwest at 0 – 18% grades. The majority of site runoff flows overland to on-site catch basins or adjacent
Additional treatment systems were explored for the NE2 basin, but shallow rock and a lack of storm sewer in Elizabeth Street proved to make alternative systems (such as underground treatment) not cost effective.

Table 2 describes the hydrologic parameters of the site based on the improvements to the site through Phase 4.

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<td>91</td>
<td>12</td>
<td>Portion has been Constructed</td>
</tr>
<tr>
<td>FD1</td>
<td>1.5</td>
<td>95</td>
<td>12</td>
<td>Under Construction</td>
</tr>
<tr>
<td>FD2</td>
<td>0.9</td>
<td>94</td>
<td>10</td>
<td>Future (Portion of EX1)</td>
</tr>
<tr>
<td>FD3</td>
<td>2.2</td>
<td>86</td>
<td>12</td>
<td>Future (Portion of EX2)</td>
</tr>
<tr>
<td>FD4</td>
<td>1.9</td>
<td>96</td>
<td>12</td>
<td>Future (Portion of EX1)</td>
</tr>
<tr>
<td>PR3</td>
<td>4.7</td>
<td>78</td>
<td>15</td>
<td>To Remain Undeveloped</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>22.0</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Shaded areas indicated areas that will be redeveloped through proposed Phase 4.

4.0 Permanent Water Quality and Peak Discharge Rate Control

The overall proposed development will be a combination of new development and redevelopment. To establish the City TSS removal requirement, a weighted calculation was completed and is shown in the previous overall development report. A required TSS removal efficiency of 66% was determined for the entire development.

The peak flow rates from the site will be maintained and/or reduced from the existing conditions.

<table>
<thead>
<tr>
<th>Type of Requirement</th>
<th>Development Trigger</th>
<th>Required Treatment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disturbed Area</td>
<td>New and Redevelopment &gt; 1 Acre</td>
<td>66% TSS Removal (Weighted Average)</td>
</tr>
<tr>
<td>Stormwater Flow Volume Reduction or Pollutant Removal</td>
<td>Bedrock and heavy clay soil limitations.</td>
<td>66% TSS Removal (Weighted Average)</td>
</tr>
<tr>
<td>Runoff Rate Control</td>
<td>New and Redevelopment</td>
<td>Match or reduce predevelopment peak flow rates for all storm events.</td>
</tr>
</tbody>
</table>
4.2 Runoff Rate Control:
HydroCAD Version 10.0 modeling software was utilized in the analysis, using the SCS method to estimate peak flows and verify the runoff rate control requirement. Modeling data is available for review by the City upon request.

The following Type II 24-hour storm events were modeled:

- 2 year storm event – 2.55"
- 10 year storm event – 3.80"
- 100 year storm event – 5.30"

Peak flow rate control for basin NE1 is accomplished using the existing filtration basin (treatment system #2). This basin was originally designed to account for the additional flow that would be generated from the full development of basin NE1.

Peak flow rate control for basin NE2.1 is accomplished by accounting for 1.6" of detention that occurs on the flat top roof of Lofts 2 during the 100-year event. This depth accounts for the 0.4 acres of rooftop which is tributary to basin NE2.1. Additional storage exists in the rock trench (treatment system #7), but this storage was not accounted for in the HydroCAD modeling. The rate reduction achieved using the rooftop detention offsets the added peak flows that occur from undetained basin NE2.2.

Table 5
HydroCAD Peak Flow Results Summary Through Phase 4
Modeling results reflect the total peak flow (cfs) leaving the site

<table>
<thead>
<tr>
<th></th>
<th>Existing Conditions</th>
<th>Developed Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Oregon Creek</td>
<td>Tischer Creek</td>
</tr>
<tr>
<td>2-Year Event</td>
<td>31.4</td>
<td>1.1</td>
</tr>
<tr>
<td>10-Year Event</td>
<td>58.4</td>
<td>2.0</td>
</tr>
<tr>
<td>100-Year Event</td>
<td>92.3</td>
<td>3.2</td>
</tr>
</tbody>
</table>

5.0 Conclusion
In conclusion, the proposed BlueStone Phase 4 (Lofts 2) development is designed to meet the drainage requirements identified by the City and summarized within this report. This is accomplished primarily by the use of the existing filtration basin along Summit Street along with a rock trench along the west side of the building.
List of Figures

Figure 1 – Overall Stormwater Plan
Figure 2 – Existing Conditions Drainage Map